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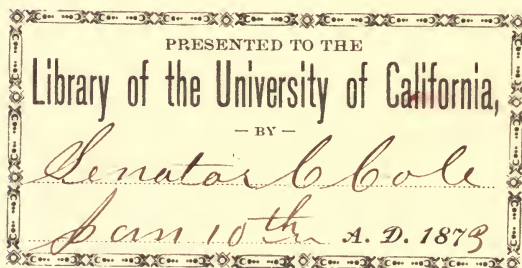
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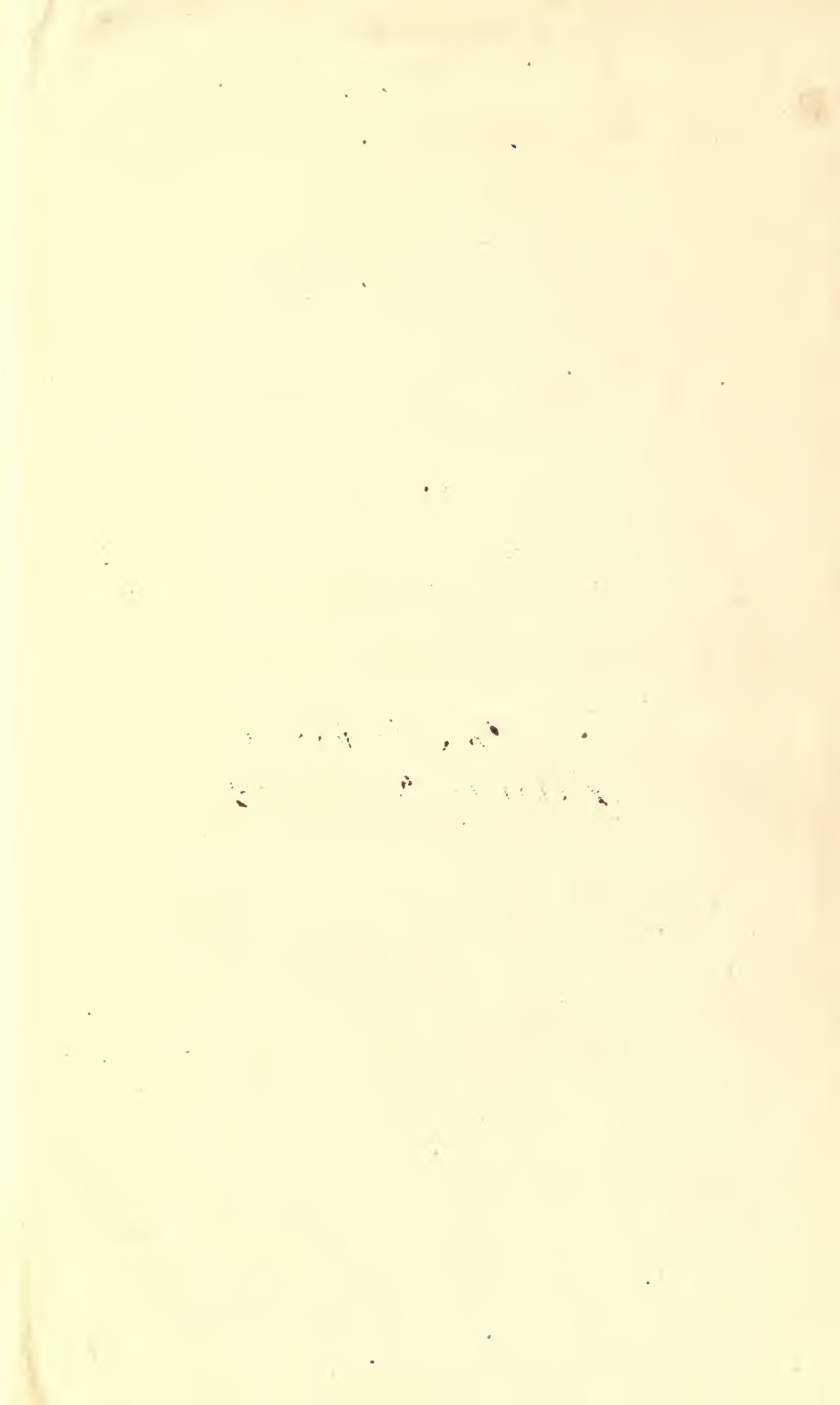
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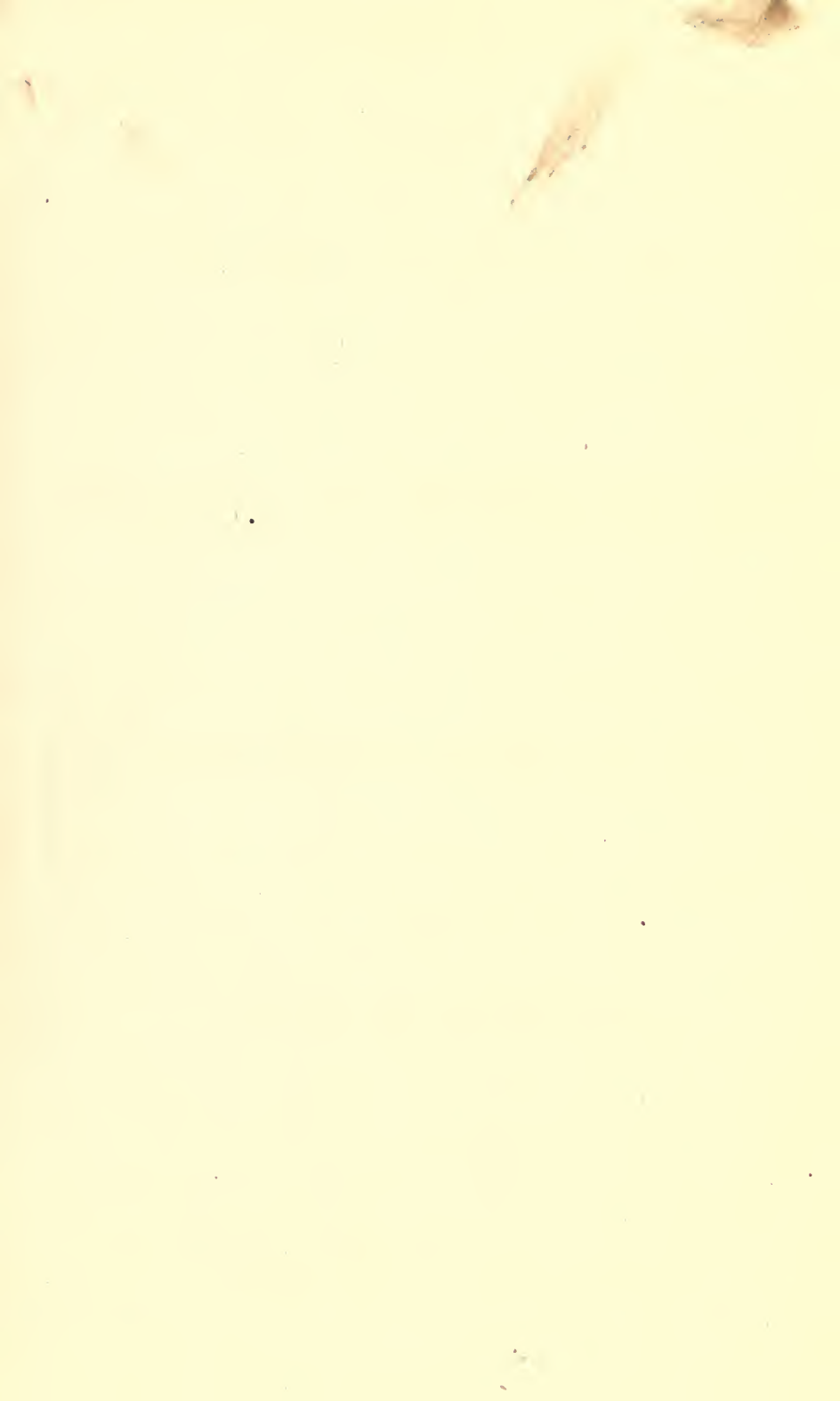
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TESTIMONY

TAKEN BY

U. S. Congress

THE JOINT SELECT COMMITTEE

TO INQUIRE INTO

THE CONDITION OF AFFAIRS

IN

THE LATE INSURRECTIONARY STATES.

MISCELLANEOUS AND FLORIDA.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1872.

TESTIMONY

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TABLET BY

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1875.

THE KU-KLUX CONSPIRACY.

This report consists of thirteen volumes.

Volume I contains the report of the committee and the views of the minority.

Volume II contains the testimony taken by the committee in relation to North Carolina, and the report of the trials in the United States circuit court held at Raleigh, North Carolina.

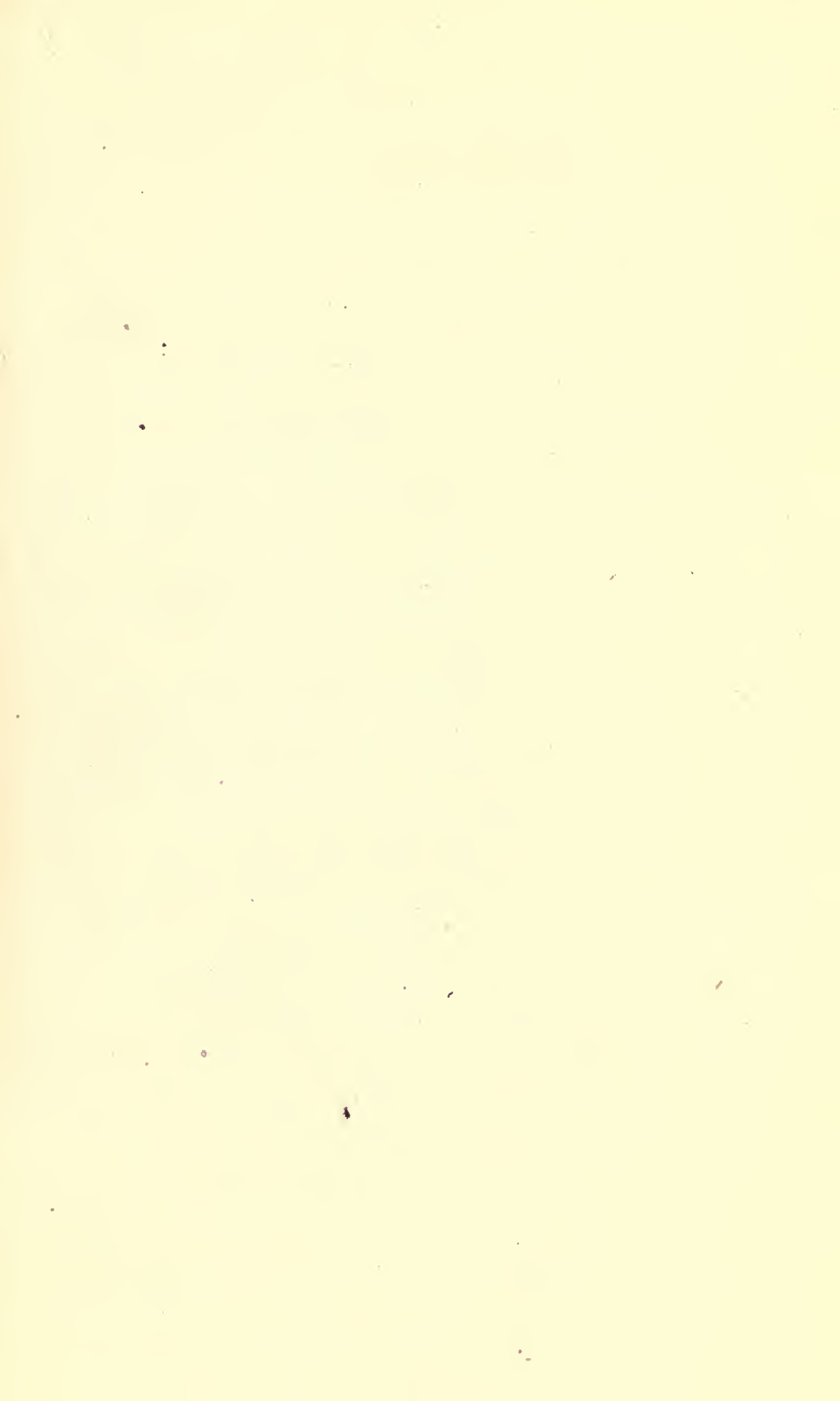
Volumes III, IV, and V contain testimony taken by the committee in relation to South Carolina, and the report of the trials in the United States circuit court held at Columbia, South Carolina. Index to the three volumes is contained in volume III.

Volumes VI and VII contain testimony taken by the committee in relation to Georgia. Index is contained in volume VI.

Volumes VIII, IX, and X contain testimony taken by the committee in relation to Alabama. Index is contained in volume VIII.

Volumes XI and XII contain testimony taken by the committee in relation to Mississippi. Index is contained in volume XI.

Volume XIII contains miscellaneous testimony taken by the committee, testimony in relation to Florida, and miscellaneous documents.



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| forty-one years old; born in Darlington District, South Carolina; resident of La Fayette County, Florida; widow of late Dr. Kreminger..... | 176 |
| lived in La Fayette County since December, 1865..... | 177 |
| her husband, Dr. John Newton Kreminger, was a native of North Carolina, and graduated in South Carolina; was in the United States service as commissary sergeant; enlisted in Mississippi; was drafted in confederate service from South Carolina, but crossed the lines at first opportunity; was fifty-three years old 16th of September, 1871; was elected to the legislature, and when killed was county judge; was a member of State constitutional convention; was killed on the morning of October 5, 1871, while sitting on the piazza of his house..... | 177 |
| was shot by J. C. Poncher; Dr. Kreminger was a leading republican in the county; witness believes other parties were privy to his being killed; Dr. Kreminger was objectionable to others on account of his politics; a true bill has been found against Poncher for killing Dr. Kreminger..... | 178 |
| he has not been arrested; her husband told witness if he was killed it would be slyly; his was the eighth murder in little more than two years; Samuel Edwards, Mr. Ashley, and Mr. Foster, republicans, killed in 1871; a colored man was killed in Old Town by another colored man; there are not many northern men in the county..... | 179 |
| lived in Darlington District, South Carolina, at the commencement of the war, and came to Florida in 1865; Dr. Kreminger at once went into political life; Poncher was clerk of the court for a time, and was removed through influence of Dr. Kreminger, on account of acts in office..... | 180 |
| the character of Poncher was bad; he was a drinking-man; he shot Dr. Kreminger about 7 o'clock in the morning, from court-house window, forty yards distant..... | 181 |
| witness gave testimony before grand jury, and true bill was found against Poncher; Poncher was a democrat..... | 182 |

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| KREMINGER, REBECCA N, testimony of—Continued. | |
| the killing of Edwards and Foster was said to have been done by Dick Hunter and Henry Parker, who were indicted; have heard of the Ku-Klux and of people who boasted of being Ku-Klux; the murders committed are supposed to have been by the Ku-Klux organization; believes the murder of her husband was on account of his politics..... | 183 |
| has no personal knowledge of Ku-Klux..... | 184 |
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| LONG, T. T., testimony of..... | 202-220 |
| appointed judge of fourth judicial circuit in 1870; before that time was judge of the third circuit, and before that of the Suwannee circuit..... | 202 |
| pardoned by Congress, upon recommendation of military officers, and is a reconstructionist | 203 |
| disabilities removed by Congress; had been State senator in Georgia, but held no office under the United States; was a secessionist and in the war; first came to Florida when two or three years old; removed when about twenty years old, and came back in 1859 | 212 |
| was a democrat, afterward a secessionist, and since the war has acted with the republican party, till lately | 213 |
| sentiment of the community generally peaceable and orderly; northern men who behave themselves have no trouble; juries are mixed, and colored jurors more inclined to convict than white jurors; no discrimination in the courts on account of politics; colored men can obtain justice as well as white men.... | 203 |
| have known B. F. Tidwell, county judge, since he was a boy; before the war Tidwell was a professional gambler; not much regard for the veracity of Frank Myers; many cases of homicide in district of witness; the case of Goodbread, in Columbia County, only case before witness in which there was any politics | 204 |
| police officer killed by Dixon, colored; a white man killed another white man, both democrats; Henry Mill killed another negro; McGwin killed another negro; Jenkins killed Winter, both colored; men of the same political party will kill each other; seven out of ten crimes are committed by colored people; troubles in Jackson County..... | 205 |
| have heard that the governor said that Purman and Hamilton caused the difficulties in Jackson County..... | 205, 217 |
| the course of Major Purman, and others like him, has exasperated the blacks against the whites; believes that Dickinson was killed by Bryant, colored, on account of colored woman kept by Dickinson..... | 206 |
| not aware of anything in the condition of Jackson County to prevent a full investigation of cause of Dickinson's death; Calvin Rogers, colored, killed Miss McClellan and wounded Mr. McClellan, and was killed while attempting to run away..... | 207 |
| most stringent criminal laws in Florida of any State in the Union | 208 |
| financial condition of the State..... | 208, 209 |
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| issue of railroad bonds..... | 210 |
| concerning taxes; legislature of the State reckless and incompetent; resources of the State squandered | 211 |
| saw Mr. Tidwell keeping faro-bank in 1859-'60; played faro with him; knows nothing against his character for truth and veracity; would not believe Frank Myers, on account of his vacillation in politics | 213 |
| a great many homicides in Jackson County since the war; thinks the course of Hamilton and Purman had a great deal to do with them..... | 215 |
| was told by Mr. McClellan that Dickinson was killed by Bryant, a colored man—murders of Fleischman, Dickinson, and Finlayson..... | 216 |
| case of Samuel Tutson..... | 217 |
| issued warrant for parties charged with counterfeiting; did not say anything to marshal about letting warrants be stolen from his office..... | 218 |
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| understood that enough democratic votes were thrown out at last election to secure return of Walls, republican, to Congress..... | 220 |
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| MARTIN, MALACHI, testimony of..... | 184-195 |
| forty-nine years old; born in Ireland; resident of Chattahoochee, Gadsden County, Florida, and warden of State prison since January 1, 1869..... | 184 |
| came to Florida in January, 1865, as captain and assistant quartermaster of volunteers; left the Army and went to planting; the only position he has held in the State is warden of State prison..... | 187 |
| received a threatening letter through the mail, postmarked Marianna, Jackson County..... | 184 |
| received warning from two acquaintances not to go outside of walls of prison until further notice from them; also warned not to go on a fishing excursion; in 1868 the governor purchased in New York some arms for militia, and they were taken from the cars and broken..... | 185 |
| have heard of secret political organizations, such as Union League, Ku-Klux, Brotherhoods, &c.; frequent murders in Jackson County, committed by an organization; have heard persons say they belonged to the democratic club; first heard of it in 1868..... | 186 |
| the political feeling in Gadsden County is very peaceable; some difficulty on day of election; threats made against republicans; Lincoln Brotherhood... .. | 187 |
| in 1869 some of his guard made arrangements to capture Thomas Barnes, understood to be a Ku-Klux assassin, and supposed to be the murderer of Dr. Finlayson, in Jackson County; two colored men were killed, whose bodies witness buried..... | 188 |
| murder of Mr. Fleischman..... | 189 |
| murder of Mr. Yerty by Luke Lot..... | 190 |
| murder of Miss McClellan, and wounding of her father..... | 191 |
| murder of Mr. Dickinson; one black man killed and another wounded; Calvin Rogers, colored, killed; young ladies in Marianna, Jackson County, examined concerning desecration of graves of Union soldiers..... | 192 |
| understood that the Lincoln Brotherhood was formed in 1867 or 1868, and afterward merged in the Union League; is not a member of the organization; Thomas Barnes shot in a drunken row..... | 193 |
| threats made against Major Purman, Mr. Hamilton, Mr. Gibbs, and others; colored man and child shot while going to a picnic, in Jackson County.... | 194 |
| republicans largely in the majority in Jackson County; two-thirds majority at election of Hamilton for Congress; have heard persons say they preferred a monarchy to the Government of the United States..... | 195 |
| MEACHAM, ROBERT, (colored,) testimony of..... | 101-109 |
| about thirty-six years old; born in Gadsden County, and lives in Jefferson County, Florida; State senator and register of United States land-office; lived in Jefferson County since May 30, 1866; before that time lived for fifteen years in Tallahassee, and before that in Quincy, Gadsden County, where he was born and raised..... | 101 |
| his father was his master, and when he died left witness acting, as servant to his master's wife's sister; once sent him to school, but parents of white children objecting, he had to leave school; the first office witness held in Florida was that of registrar, under reconstruction acts, under General Pope; was a member of constitutional convention, and is a member of State legislature; has been superintendent of schools in Jefferson County, and clerk of county court..... | 105 |
| was a domestic servant till close of the war..... | 108 |
| the colored people are getting along tolerably well; a few are procuring homes for themselves; persons who have land will not sell to colored people, or ask more for it than colored men can pay; colored people have had much trouble about their contracts; they are discharged on the slightest grounds when the crops are laid by in August and September, thus losing their share of the crops..... | 101 |

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| MEACHAM, ROBERT, (colored,) testimony of—Continued. | |
| many colored people are committed to jail by justices of the peace for the most frivolous and trifling things, though but few in Jefferson County; there is not a good feeling on the part of white people in regard to colored people voting; white people say they are in favor of colored schools, but will do nothing to help them, and will not engage in teaching them; teachers of colored schools are treated with contempt..... | 102 |
| particulars of disturbance at election in Jefferson County, November, 1870.... | 103 |
| about five hundred republicans prevented from voting; all the democrats voted; Colonel Bird indicted by grand jury of United States court for disturbing election..... | 104 |
| colored vote of Jefferson County about 2,500 or 2,600, and white vote 600 or 700; two colored men and one white man elected to legislature when witness was elected; at last election two colored men and one white man elected to legislature; the colored members-elect can read and write..... | 105 |
| there is State provision for public-school system, and State law concerning contracts between employer and laborer..... | 106 |
| believes that among white employers there is some understanding to manage so as to prevent colored people from having all they have justly earned; perhaps six white people in Jefferson County vote the republican ticket..... | 107 |
| white men in Jefferson County pretty much all democrats; men who treat laborers fairly can get all the labor they want..... | 108 |
| Militia, arms for, destroyed..... | 122, 124, 167 |
| MONTGOMERY, DAVID, testimony of..... | 125-136 |
| thirty-five years old; born in New York; resident of Madison County, Florida; been sheriff of that county over three years..... | 125 |
| made five hundred arrests..... | 126 |
| came to Florida in 1857, and been in the State off and on since then; was a mason, brick-layer, and plasterer before the war..... | 132 |
| was collector of the county for a time..... | 136 |
| there have been 37 murders in the county, and no person convicted; John T. Glass was tried and acquitted for killing Oscar Tension, colored; the grand jury has found a bill against no other person for murder; three white men, Smith, Quiet, and Allison killed; Smith killed by colored men..... | 126 |
| three white men went to the house of Mr. Allison, about half-past 12 at night, called him out and shot him; four or five persons whipped in upper part of the county, near Georgia line; the last person whipped about 1st of October, 1871; believes there is a Ku-Klux organization in the county; been told so by one person who was solicited to join it; colored man of the name of Gent killed..... | 126 |
| two years ago the wife and daughter of a colored man named Scarboro were whipped; a man of the name of Sapp told witness there was a Ku-Klux organization in upper part of county and in Georgia; store and stock of goods belonging to witness burned December 17, 1870; store of Mr. Hausman burned November 6, 1871; store of Mr. Katzenburg set on fire twice; the night before the last election seven or eight companies of armed and mounted men came into town, and many colored men were thereby kept from voting; all the victims of murders, whippings, and burnings belong to the republican party..... | 127 |
| no jury can be obtained to convict those offenders; witness was fired at one night while going to his residence in the country; his horse was shot in two places, two shots in his buggy, and witness was obliged to remain in the woods all night; could not recognize the party; they were armed with guns and muskets..... | 128 |
| a colored justice of the peace received a letter signed K. K. K., threatening him if he did not resign; a colored deputy sheriff, of the name of Sampson, received a similar letter; Glass was tried in 1869 by a white jury and acquitted on the ground of self-defense..... | 129 |
| there are perhaps a hundred white republicans in the county, if they could be got to vote; do not know any one who belongs to a secret political organization; heard a man of the name of McClary say "he could toot his horn and get eighty men at his call any time;" he said it while under the influence of liquor; summoned a <i>posse</i> to assist in making an arrest, and they refused.. | 130 |
| no difficulty in making arrests, if the parties can be reached; think they get information from members of the grand jury and keep out of the way..... | 131 |
| armed parties came into town the day before election from different parts of the county; they were armed with pistols, guns, and muskets, and camped in the woods..... | 132 |

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| MONTGOMERY, DAVID, testimony of—Continued. | |
| have seen no bands of disguised men; it is difficult for a northern man to live in the interior of the State..... | 133 |
| southern republicans are treated as badly as northern men..... | 134 |
| a man by the name of Bryant was killed in October, 1870, and the parties charged with killing him have been arrested..... | 135 |
| they are colored men, and are awaiting trial..... | 136 |
| Morris, Alexander, hanged in Alachua County, 1871..... | 159, 163, 225, 292 |
| MYERS, FRANK, testimony of..... | 156-164 |
| thirty-three years old; born in South Carolina; resident of Columbia County, Florida, for about two years; before that time lived in Alachua and Hernando Counties; for a time was traveling agent of the Florida Courier..... | 156 |
| was county commissioner at one time; never voted any but democratic ticket, but does not now affiliate with democratic party; holds no office now..... | 162 |
| joined a democratic club in 1868, in Alachua County, and was invited to join the Secret Service Club, but did not; the object of Secret Service Club, as explained, was to use force or violence, if necessary, to prevent secretly and effectually certain parties from exerting too great influence with the colored population of that county..... | 156 |
| thinks that organization is what is commonly known as Ku-Klux..... | 157 |
| constitution of Young Men's Democratic Club..... | 157, 158 |
| the oath of the Secret Service Club was not committed to writing..... | 158 |
| the secret service oath was to obey all orders or edicts from the chief of the club, the central chief of the county, or the central chief of the State; also to remove, by any means possible, any obstacle in the way of the success of the democratic party..... | 159 |
| the attack, in 1870, on William H. Birney, district attorney in the fifth judicial circuit of the State, was stated by one of the parties to be by members of the Secret Service Committee; a negro hung in Alachua County, in the winter of 1870-'71, by the same organization; a copy of the constitution of Young Men's Democratic Club was given to witness, when he removed to Hernando County, in order that he could organize clubs in that county..... | 159 |
| do not know who was at the head of the order; has understood that the State organization was completed; has had nothing to do with the club since 1869; the central chief in Alachua County was Dr. Dudley; signed the constitution in 1868; was then acting with the democratic party; organized two clubs in Hernando County; has no knowledge of Secret Service Committee, except verbal instructions to enable him to organize them..... | 160 |
| no disguise was provided; do not know personally of unlawful acts committed by members of the club; obtained the particulars of the attack on General Birney from one of the parties concerned in it..... | 161 |
| secret service oath was not administered to witness, but stated to him in order to enable him to organize clubs; in February, 1869, two negroes were hung by Ku-Klux in Hernando County..... | 162 |
| believes there were half a dozen clubs in Alachua County; do not know the members of the Secret Service Committee; was told by members of the democratic club that members of the Secret Service Committee hung the negro in Alachua County..... | 163 |
| each club had a name; witness was one of the first to join the club to which he belonged, which was the first club in the county; does not know where the club originated..... | 164 |
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| NELSON, JOSEPH, (colored,) testimony of..... | 136-144 |
| going on twenty-two years of age; born in Calhoun County, Florida, and now resides in Jacksonville; came from Marianna, Jackson County, in 1869, because of an attempt to kill him; followed carpentering and farming in Jackson County..... | 136 |
| voted at last election, and voted for some officer two years ago, and afterward found that he was not old enough to vote..... | 143 |
| in 1869, Oscar Granberry, Matt Nichols, and wife and son, were killed; and Calvin Rogers killed; Silas Pitman shot since 1869..... | 140 |
| Nichols, Maria, killed in Jackson County, 1869..... | 80, 110, 140, 145, 291 |
| Nichols, Matt, killed in Jackson County, 1869..... | 80, 110, 140, 145, 291 |
| Nichols, Matt, jr., killed in Jackson County, 1869..... | 80, 110, 140, 145, 291 |
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| fifty years old; born on Eastern Shore of Maryland; resident of Tallahassee, Florida; minister of African Methodist Church; senator in Florida legislature; has been in Florida six years; came to Florida, from Canada, as a missionary; been connected with the African Methodist Church for thirty-eight years..... | 165 |
| member of convention of ministers and laymen of African Methodist Episcopal Church..... | 166 |
| re-elected to State senate in 1870; member of constitutional convention in 1868; afterward elected to State senate from the eighth senatorial district, in which Tallahassee is situated..... | 169 |
| the laws of Florida are good, but not properly executed..... | 165 |
| many outrages have been committed on republicans by democrats—some shot, some killed, and some whipped and driven from their homes..... | 166 |
| arms were procured for State militia by Governor Reed, but they were taken from the train and destroyed while being taken to Tallahassee; believes there is a secret political organization in the State; in small and sparsely settled counties there is opposition to colored men buying land..... | 167 |
| a white teacher of a colored school in Leon County, Mr. Butler, was driven from his school; greatest number of acts of violence have been committed in Jackson County; Dr. Kreminger shot and killed by a white man, who has been indicted..... | 168 |
| threats are made to intimidate colored voters; have never received any Ku-Klux notice, but saw one sent to Mr. Gibbs, secretary of state, threatening him, the governor, and the witness..... | 169 |
| the murderer of Dr. Kreminger has not been arrested; there are Union League societies in the State..... | 172 |
| the governor is at the head of State organization of Union League; the society is oath-bound; both white and colored are members..... | 173 |
| no person punished for outrages committed upon republicans; letter of Dr. Gibbs concerning Mr. Dickinson..... | 175 |
| all the leading republicans in Jackson County have been killed or driven off; the Union League is a republican association, the existence of which is never denied by its members..... | 176 |
| Persons killed, not named..... | 115, 117, 119, 120, 145, 179, 278 |
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| forty years old; born in South Carolina; came to Florida in 1851, and since then resided in Jackson County; elected constable in 1869..... | 272 |
| there are Ku-Klux in Jackson County..... | 272 |
| witness was shot in shoulder three or four months before Calvin Rogers was killed; November 15, 1870, was stripped and pistol thrust in his face; November 7, 1871, was again attacked; have not prosecuted persons for attacking him; colored men are afraid to try to get justice..... | 273 |
| condition of things in Jackson County worse since Dickinson was killed; Dickinson was killed by a white man..... | 274 |
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| a member of the State senate..... | 145 |
| came to Florida, in 1866, from Washington City, as agent of the Freedmen's Bureau, and continued such agent for two years; was a member of constitutional convention, and afterward elected to State legislature; was appointed secretary of state and resigned, and appointed county judge and resigned, and then was re-elected to State senate; is United States assessor of internal revenue for Florida..... | 149 |
| a colored picnic fired into, September 28, 1869, and a man and child killed; a day or two afterward Miss McClellan was killed and her father wounded; Fleischman killed; Matt Nichols and wife and son killed; Sullivan, white, and Cox, colored, wounded; a colored man killed; visited Marianna in August, 1870, with Colonel Hamilton, and held public meeting..... | 145 |
| in consequence of the excitement, obtained an escort of citizens, who took them to Bainbridge, Georgia; was in charge of six counties for Freedmen's Bureau..... | 146 |
| wounding of Richard Pousser, colored; Finlayson was killed with a shot-gun; many threats against republicans; those killed were generally prominent republicans..... | 147 |
| shortly after Finlayson was killed, three or four others were killed and a half a dozen wounded; Thomas M. West, sheriff of the county, resigned because he could not execute process; John Q. Dickinson was killed about 10 o'clock at night, near where Dr. Finlayson had been killed; after the sheriff resigned and the clerk was killed, the democrats met and dictated appointments to the governor, which he made; none of the murderers arrested and punished, though most of them are known; there have been at least seventy-five or eighty murders in Jackson County since the war, four-fifths of them of colored people; Calvin Rogers, colored, killed; most of the colored men killed were prominent among their race; a secret organization in Jackson County; in spring of 1871, James W. Yerty killed in Calhoun County; in early part of 1870, Judge Carraway killed in Calhoun County..... | 148 |
| some whippings in Hamilton County; Columbia County has a lawless reputation; believes there is a secret organization extending throughout the State, the object of which is to extirpate the prominent republicans and Union men; to murder the leaders, and intimidate the others, in order to obtain control of the State government..... | 149 |
| colored man and boy killed at a picnic; Miss McClellan killed and Mr. McClellan wounded..... | 150 |
| witness introduced in the State senate, two years ago, a resolution in favor of universal amnesty, and is still in favor of it; concerning hostages, or escort, to secure safe egress from Jackson County..... | 151 |
| population of Jackson County, from 8,000 to 10,000; voting population, 2,000; in fair elections about 1,400 colored and 500 or 600 white voters; formerly 60 to 70 white republicans in the county; do not think any whites voted republican ticket at last election; early in 1871, son of Mr. McMillan, member of the legislature, was shot in the face..... | 152 |
| secret political organization extends throughout the State, and will continue to prevent the arrest of one of its members, or get upon the jury and clear him..... | 153 |
| witness and Dr. Finlayson had no personal enemies; a year before he was shot there was a rumor that "\$1,600 in gold was on deposit for any man who would kill Purman"..... | 154 |
| the night after witness was shot a committee of black men came to his house, and he with difficulty persuaded them from sacking the town; Dickinson was objectionable because he was the last leading republican in the county..... | 155 |
| the boast is made that no more white republicans dare go to Jackson County.. | 156 |
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| about thirty-seven years old; born in Virginia; lives in Jacksonville; lived in Marianna, Jackson County, till October, 1869; left there because the Ku-Klux raided him..... | 109 |
| never held an office..... | 111 |
| occupation, carpentering and farming; was born free..... | 112 |

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| REED, HENRY, (colored,) testimony of—Continued. | |
| about 1 o'clock at night a party of men came to his house and ordered him to come out; his son jumped out of the window and ran, and was fired at but not hit; witness escaped and hid under a neighbor's house till morning; then went to a gentleman's house and remained there three or four days, and then went to Quincy; four men came to his house and two stood in front and two in the rear; cannot tell whether they were disguised or not | 109 |
| have seen men at church with old black gowns and sun-bonnets on; many people molested by Ku-Klux; Matt. Nichols, Maria Nichols, and young Matt. Nichols killed; heard of no whippings; no one arrested or punished for acts of violence..... | 110 |
| no objection to witness except that he was a republican; Captain Dickinson and Dr. Finlayson killed; population of Jackson County 8,000 or 9,000; more colored than white..... | 111 |
| killing of Oscar Nichols and Calvin Rogers | 112 |
| threats made to drive off all leading republicans..... | 113 |
| leading men belong to democratic party | 114 |
| Rogers, Calvin, killed in Jackson County, 1869..... | 80, 94, 112, 148, 150, 192, 207 |
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| going on thirty-seven years old; born in Georgia; resident of Live Oak, Florida, for nearly three years..... | 279 |
| attacked by party of men in fall of 1868, between 9 and 10 o'clock at night, and himself, wife, and four children whipped..... | 279, 280 |
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| Scarboro, ———, wife and daughter of, whipped in Madison County, 1869..... | 127 |
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| born in Lovell, Maine; thirty-two years of age; resident of Quincy, Gadsden County, Florida; speaker of house of assembly of the State legislature; came to Florida in May, 1866 | 75 |
| lost an arm at Winchester, Virginia, in the military service of the United States..... | 87 |
| was an officer of the Freedmen's Bureau for two years, located at Quincy; afterward surveyor general of the State under the United States Government | 88 |
| about 400 majority of black voters in Gadsden County..... | 75 |
| elections quiet till election of November, 1870; account of disturbance at election in Quincy, by which the republican majority was reduced from 400 to 16 those who were prevented from voting were republicans; no democrat prevented from voting; proceedings taken against Mr. Allison and others for disturbing the election; no killing or whipping in Gadsden County, but a great deal in adjoining county of Jackson; colored ferryman shot dead, and two colored men wounded | 77 |
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| all through Middle Florida are men who say they will give Lot their best horses if he needs them in his operations; the expression is frequently made that all republicans or "radicals" should be killed; the secret organization is based on politics; knew Dickinson well; he was a man of very high and noble character; he was a native of Vermont; came to Florida after the war, and when killed was clerk of Jackson County..... | 84 |
| before his death Dickinson had received many anonymous threatening letters.. | 85 |
| has never seen any bands of disguised men; knows no one belonging to the secret political organization; men have acknowledged being members of it.. | 86 |
| in March, 1871, in Quincy, was assaulted by a man of the name of Jones, who seized witness by the collar and drew a knife on him; was not injured..... | 87 |
| for disturbance of election in Quincy, November, 1870, Allison was tried and convicted, but obtained a new trial; was witness in the case | 87 |
| two colored men and witness were elected to the legislature from Gadsden County | 88 |
| ferryman shot; the government and courts have no power in Jackson County; more than half the jurors, as a general thing, do not seem disposed to check outrages..... | 89 |
| the county of Jackson is entirely in the hands of a mob; Dickinson was justice of the peace and clerk of the court; do not know that any process has been sued out against Lot for killing Yerty..... | 90 |
| among democrats there is a general expression of approval or palliation of outrages; a few express regret, and some say radicals commit them for political effect | 91 |
| the sheriff of Jackson County, a democrat, told witness that four men from Jackson County went to Quincy and offered their services to get rid of any man, and were told there was no such work for them to do; has heard of frequent violations of law outside of Jackson County, but not to the same extent; Ku-Klux law of Congress has had a very salutary effect; the Freedmen's Bureau was very favorable in its operations, and equitable to both black and white..... | 93 |
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| have heard of whippings in Columbia County, supposed to be by Ku-Klux organization; Robert Forson whipped in 1870 | 164 |
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| came to Florida in the latter part of 1860; enlisted in 1861, and served in Lee's army..... | 116 |
| held offices of justice of the peace and county judge; been acting county judge since February, 1871; resided in Leon County for a time; resided in Madison County for last three years | 117 |
| an effort is made to execute the laws, but it is rather loose; believes there are Ku-Klux in the county; as justice of the peace has taken testimony at inquests upon bodies of persons murdered; some twenty-five or thirty have been murdered in the last three years; most of them were colored..... | 114 |
| murders were committed by disguised men at night, armed with guns and pistols; a colored man punished for killing a colored man; no white man punished for criminal act upon colored men; effect of acts of violence has been to prevent colored people from getting homes of their own; the persons murdered generally accused of some crime..... | 115 |
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| intelligence, and industry; in summer of 1871 Mr. Allison was killed by a party of armed men; he was accused of stealing, but there had been no prosecution against him; the negroes in the county have generally behaved well. | 116 |
| a white man killed in fall of 1870; parties who killed Allison went to his place on horseback, killed him, and galloped off; could not tell whether they were disguised or not | 117 |
| a white man killed a negro, in 1869, in the streets of Madison, and acquitted on ground of self-defense. | 119 |
| a mulatto, Richard Smith, killed in 1869; a colored man shot dead | 120 |
| the colored man had previously been whipped and run off from his house; colored man killed in 1870; witness committed two parties charged with the murder, and Judge Vann, then county judge, discharged them | 121 |
| arms for State militia were obtained by Governor Reed; the arms were taken from the cars and destroyed; many negroes have shot-guns and pistols; county commissioners fixed the place of voting at the county-seat. | 122 |
| population of Madison County a little over 11,000, of which about two-thirds are colored; at last election perhaps 500 white voters and 1,200 or 1,300 colored voters; 25 or 30 white republicans in the county; colored people not inclined to tell all they know about outrages; the republicans generally believe there is a secret organization committing outrages. | 123 |
| the arms for militia were taken from railroad train by unknown parties at or near station 5, Sandy Ford; witness has received no personal injury; has heard insulting remarks | 124 |
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| about forty-two or forty-three years old; born in Gadsden County, Florida; resident of Clay County, near Waldo, on Number Eleven Pond; is the wife of Samuel Tutson | 59 |
| was at home last spring, when her husband was whipped by a party of disguised men, who came to the house and broke open the door; George McCrae and Cabell Winn caught hold of her and dragged her out of doors; McCrae took her infant child from her arms and threw it down; seized her by the throat and choked her; saw some of the party carrying off her husband, and the rest carried her away about a quarter of a mile from the house. | 59 |
| made her put her arms around a pine tree, and then tied her hands; stripped her naked and whipped her with saddle-girths with the buckles on; after whipping her George McCrae would send away the rest of the party, and in their absence would endeavor to have sexual intercourse with her, injuring her very much; whipped her till she was raw from head to feet. | 60 |
| after she got away from them went several miles to the house of Mr. Montgomery, and also to the house of Mr. Ashley; returned to her house, which had been torn down, and found her husband and children about 12 o'clock the next day: the youngest, a babe, was hurt in one of its hips so that it was unable to walk for some time; was whipped because she and husband would not give up their land. | 61 |
| had been urged before to give it up, but would not do it; had been living there nearly three years; went to Whitesville, with her husband, to see Mr. Kennedy, a magistrate, and endeavor to obtain redress. | 62 |
| went to Green Cove Spring, before the circuit court; there never was any suit about the land she lived on; gave testimony before the United States court in Jacksonville. | 63 |
| she and her husband were put in jail, because she testified that one man choked her, and her husband testified that the man whipped her; the man both choked and whipped her | 64 |
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| between fifty-three and fifty-four years old; born in Virginia; resident of Clay County, Florida, at Number Eleven Pond, until visited and whipped by Ku-Klux, in May, 1871. | 54 |
| nine disguised men came between midnight and day, broke in the door of his house, dragged him away from the house, blindfolded him, tied him to a pine tree, whipped him, struck him with a pistol, choked him, and stamped on him. | 54 |
| stripped him naked, tore up his shirt, put a piece over his eyes and a piece in his mouth; tore down his house, and whipped his wife; gave as a reason for whipping them that he and his wife would not give up the land they were living on to Mr. Winn, one of the party engaged in whipping them. | 55, 57 |
| had been living in Clay County three years; bought his land of Free Thompson, giving for it cotton of the value of \$150; when he was whipped he was also falsely charged with leaving his fences down, and allowing stock to come in and then shooting it. | 56 |

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| nearly a month after the whipping went to a magistrate of the name of Kennedy, and gave him the name of those who whipped him, but nothing was done to them..... | 57 |
| went to Green Cove Spring, saw the United States lawyer there, and gave him the papers in his case; also testified before the United States court in Jacksonville concerning the outrage on himself and wife..... | 58 |
| never was at an election in Clay County; thinks there are more whites than blacks in that county..... | 59 |
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| blacksmith by trade | 309 |
| have seen a great many signs of Ku-Klux, such as people murdered, shot at, or run off; 100 or 150 killed in Jackson County; two colored men stabbed on election day; no democrat hurt in any way; Captain Dickinson was last man killed in Jackson County..... | 309 |
| not safe for colored men to vote republican ticket in Jackson County; people look to Government of the United States for protection; the State government not able to protect colored people; Miss McClellan killed, and Mr. McClellan wounded; believe it was done by a white man, who had had a fight with Mr. McClellan a night or two before | 310 |
| WILDER, C. B., testimony of..... | 241-258 |
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| sixty-nine years of age; formerly belonged to the abolition party, then to the free-soil party, and then to the republican party..... | 253 |
| voted for Governor Reed, because he was nominee of republican party..... | 254 |
| has held no office in the State, but refused a great many; was superintendent of freedmen prior to organization of the Bureau, and located at Fortress Monroe; tried by court-martial for swindling the Government and acquitted | 255 |
| all the State officials but the comptroller are in a ring to plunder the State.... | 241 |
| has heard of persons stuffing ballot-boxes; taxation in the State has increased; the governor received \$10,000 from one man for an office | 242 |
| Collector Little a defaulter to the State for \$30,000 or \$40,000..... | 243 |
| colored ministers use their churches for political purposes; Senator Osborn is a leader of the ring; Senator Gilbert said he had contributed more than \$10,000 for campaign purposes before he secured his election; it is said the men who pay the most get the offices..... | 244 |
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| not so unpopular a man in the State as Governor Reed; the masses of the people have lost confidence in their rulers; northern people are welcomed and supported; the object of the home people is to obtain an honest government; the United States officials in the State are generally connected with the ring; Major Purman is one of the ring..... | 247 |

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| was in the legislature eight or ten times before the war..... | 230 |
| formerly owned three hundred slaves..... | 232 |
| at one time Judge Queen, and at another time Mr. Brokaw, was president of club at Tallahassee; there were three clubs in Leon County; the club is not in existence now; do not remember any of the other officers; meetings were held in Tallahassee; do not know that the organization existed in any other county; the club was sub-divided into hundreds and fifties; has understood that Extra Billy Smith is at the head of an organization precisely the same in Virginia; there was an oath of secrecy at initiation; the copy of constitution presented to witness (furnished by Frank Myers) looks like constitution of club at Tallahassee..... | 226 |
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| was chief of organization for Leon County; did not belong to secret service committee, and did not know anything about it; three clubs in Leon County, at Tallahassee, Miccosukie, and Centreville; best men in the county, the democrats generally, belonged to the organization; a good institution and productive of good while it lasted..... | 229 |
| in Leon county the democratic vote was 600 or 700, and opposite party 2,700 or 2,800; 300 or 400 democrats belonged to the club; the organization was in the interest of good order, and could act promptly, while applications to the courts would take time; it was similar to the regulators before the war. | 230 |
| but few bad men in the county; Major Purman is a bad, bitter man, and charged with being a fanatic and exciting the negroes; all the white people regard Purman as a dangerous, bad man; knows but little personally of him..... | 231 |
| has heard that Mr. Hamilton was a bad man, an agitator; has heard that when Hamilton and Purman went to Jackson County, as agents of the Freedmen's Bureau, they broke up existing contracts with colored people, and required new ones to be made, charging a fee of a dollar or a dollar and a half for each contract signed; witness employs about 270 of his former slaves; most of the disturbances have occurred in Jackson County; heard that Hamilton arrested some young ladies for taking flowers in a cemetery... | 232 |
| has heard republicans say that such men as Purman and Hamilton were ruining the party; not a dozen white republicans in Leon County; the colored people, if let alone, show no disposition to violence; Bishop Pearce (colored) and others indicted for bribery in connection with General Littlefield's matters; a large number of negroes collected with clubs and sticks to protect Pearce, when it was reported the democrats were going to put him out of the legislature; no longer necessary to keep up the democratic club; has not heard of it for fifteen or sixteen months; everything is now quiet..... | 233 |
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| has no knowledge of Ku-Klux organization ; killing of Carraway and Yerty, republicans, and McGriff, democrat ; has heard that there were five or six murders in Jackson County since the surrender, four or five of which were republicans killed by republicans, and one was a democrat..... | 239 |
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| lived in Alachua County over thirty years | 196 |
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| a great many negroes killed ; no white man convicted for killing a negro ; negroes can obtain rights of property before the courts, but not justice in criminal prosecutions ; negroes easily convicted of offenses against whites ; Mr. Lucy killed at Newnansville by a man named Moody, who had been tried previously for killing a negro..... | 197 |
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TESTIMONY.

CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

MISCELLANEOUS.

WASHINGTON, D. C., June 24, 1871.

CHARLES REEMELIN sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?

Answer. At Cincinnati, Ohio, or near Cincinnati.

Question. Have you any knowledge of the condition of the late insurrectionary States, so as to enable you to testify in regard to the execution of the laws, and the security of person and property there?

Answer. I have, as a temporary traveler there, this spring, as far as I could get any information; I traveled there about a month.

Question. Through what parts of the South?

Answer. I traveled through Kentucky, Tennessee, Georgia, South Carolina, Alabama, Louisiana, and Mississippi.

Question. So far as you have any information which bears upon the subject of the inquiry, state it to the committee, excluding from it, however, anything in relation to the State of Kentucky, as that is not committed to us in this inquiry.

Answer. Perhaps I ought first to state my object in going South, and that will explain to some extent what were my opportunities of observation. I went South partly for my health; I was a correspondent of the Cincinnati Commercial, but the principal and main object I had in view all the time was to obtain information, which would enable me to comply with the request of a German journal to write a series of letters upon the condition of the South; and preparatory to that I was recommended to visit the South, and not to write the letters until I could see the census, because it was thought I could then better understand the returns of the census. As social science men, we believed that our opinions upon the subject should be governed by the facts, and in no other way. I was charged accordingly to state the facts, to avoid forming opinions, and not to be swayed by political opinions, because they looked upon them as temporary, and wished me particularly to notice the more inherent social tendencies of the people among whom I proposed to travel. For that purpose, I determined that I would seek information in all possible ways; for that purpose I visited various gentlemen in the South; and, besides, wherever I was traveling, I inquired of all of whom I could obtain information. With that view, I visited democratic editors, particularly editors of German papers; I visited Mr. Alexander H. Stephens, and at his house I saw Herschel V. Johnson and General Toombs.

Question. Our purpose is to inquire into the efficiency of the execution of the laws in those States, and the security of person and property there; and we wish to get at the facts which you can give us bearing upon these inquiries.

Answer. So far as I could observe, the laws were about as well executed as they were with us, considering the condition of things there and the nature of the country. They have a large country, covered over with plantations and smaller towns and cities; and a person traveling through, and chiefly visiting the cities, would not see a great deal of the country at large.

Question. Was your travel confined principally to travel by railroad?

Answer. Yes, sir, almost entirely, with the exception of short visits outside of the towns.

Question. Am principally to the larger cities and towns?

Answer. Yes, sir.

Question. Did you travel to any extent through the country at large otherwise than by railroad?

Answer. No, sir, perhaps not more than fifty miles altogether. I went out from New Orleans to two plantations where there were coolies at work.

By Mr. BLAIR:

Question. Do you know the condition of those States through which you traveled, in regard to the execution of the laws—whether those States are quiet, &c.?

Answer. Where I went is peaceable, and I was about as little disturbed as I ever was in this country, or anywhere else. I walked out in Charleston at 11 o'clock at night, to the house of a friend, and came back without being disturbed. At Mobile I went at 8 o'clock at night to the house of Admiral Semmes, and remained there until 11 o'clock, when I returned to my room, and I had no trouble. At hotels I had no difficulty. At the same time, it is proper to say that I found a great deal of irritation and dissatisfaction of a political nature through the entire South, which, in spite of a desire on my part to avoid that subject, would obtrude itself; it seemed to overwhelm their minds—to be ever present. They were dissatisfied with the way they had been treated by the Government; but there was nothing except an irritation; they would talk about it.

By Mr. VAN TRUMP:

Question. Was there any evidence of violence on their part?

Answer. On the contrary, they all disclaimed that; their conversations would indicate that they regarded the thing as almost insufferable, and yet they would say they would submit.

Question. How did you find affairs in South Carolina; were they not, as you have observed, almost insufferable?

Answer. If the conversations that I heard were true, the condition of the country was almost insufferable. I was present at the meeting in Charleston where they repudiated the sterling bonds. I saw old gentlemen, persons apparently with plenty of property, men who I afterward found to be men of wealth, going on as if they were in a disturbed situation, and the time had come for them to save what little they had. I must admit that, on close examination, I found them a little more scared than the facts justified.

Question. In regard to what?

Answer. In regard to their taxes; it was not so bad as they thought; it did not take everything.

Question. Did you look at the rates of taxation?

Answer. I inquired into their valuations, into their rates of taxation, and compared them with the same in Cincinnati.

Question. Did you not find great discrepancy in the estimates of values?

Answer. They claimed that their assessments were really higher than the value of their property. In fact, I can state that several pieces of property were offered to me at from two to three thousand dollars less than they were appraised at on the tax list. And one piece of property was sold at auction, while I was in Charleston, for \$10,000, that was put down on the tax list for \$13,700, I think.

Question. At what time were you in South Carolina?

Answer. I left Cincinnati on the 15th of March, and I suppose I arrived there in South Carolina in the first part of April.

Question. There were no violations of the peace, or anything of that kind, while you were there?

Answer. Nothing at all of that kind.

By Mr. BLAIR:

Question. What did you gather, from your conversation generally with all the persons with whom you came in contact in the several States which you visited, as to the condition of those States in reference to obedience to the law and peace and quiet?

Answer. I believe there is not the slightest intention down there to go back into any war or rebellion, or anything of the kind. Not one only, but a great many, of the regular soldiers of the confederate army said to me very clearly, and in a way that I cannot help being satisfied they spoke their sincere minds, that all thoughts of that kind had entirely disappeared from them; that they could not be kicked into it again; that the general Government might do what it pleased, but it could not kick them into a rebellion any more. They seemed to think that the condition was bad enough to drive any set of men into war, but they were not disposed to do it, and would not do it. It looked to me about this way, to use as a comparison a medical illustration: They looked to me like a people that are sound in their vital parts, but their blood is pretty badly irritated by some cause or other, and they were breaking out in spots here and there; if they could only get these political asperities and these political irritations from their mind, they would be better. In other words, as I said to several of them, if they would only take their spectacles that had blue glasses in them off their noses—spectacles that made everything look blue—I thought it would make things appear differently to them.

By Mr. VAN TRUMP:

Question. Is it not in fact very blue times down there?

Answer. Not so bad as they think. I think the South, both black and white, is settling down into a comfortable social condition. There are peculiar circumstances coöperating there—the low prices of cotton, together with the law passed by Congress, which law was the great topic of conversation down South. Take one off or the other, and they would feel better. If they got a better price for their cotton, they would not think half so badly of congressional legislation, or if there had been no legislation they would not think so badly of the low price of cotton. But the two together make them pretty sore.

By Mr. STEVENSON:

Question. Did they attribute the low price of cotton to congressional legislation?

Answer. No, sir; they did not do that.

Question. But they mixed them up in their minds?

Answer. They did some; yes.

By the CHAIRMAN:

Question. What is your occupation, doctor?

Answer. I am not a doctor.

Question. I inferred from your medical comparison that you were a doctor by profession.

Answer. No, sir; I merely used it as an illustration. I used to be a merchant, but now I am living on a small country place.

Question. You went out there as correspondent for a newspaper?

Answer. I went out there as a correspondent for the Cincinnati Commercial, and also intended to write something for the Social Science Journal.

Question. Your travels there were to enable you to obtain information to write a treatise on social science?

Answer. Yes, sir; the object in the first place was to get an idea of the general condition of the blacks and whites, and the effect of the two races upon each other.

Question. And all that information which you then obtained we will get in your book, if it is ever published?

Answer. Yes, sir; if it is ever translated.

By Mr. STEVENSON:

Question. You did not go into the districts alleged to be in open violence?

Answer. No, sir.

Question. You did not go into Spartanburg, or Laurens County, or any other county in South Carolina, where there are said to be violations of the law; or into Rutherford County, North Carolina?

Answer. I did not go into North Carolina at all.

Question. Did you go into Greene County, Alabama?

Answer. Not that I know of; I went from Montgomery to New Orleans, by way of Mobile, and then came up through Mississippi.

By the CHAIRMAN:

Question. You spoke of calling upon democratic editors; did you confine your visits exclusively to the editors of one political party?

Answer. There were no editors of the other party down there; I found some of the Germans a little inclined to republicanism. I was very anxious to get their ideas, for I am a native of Germany, and I would seek them out everywhere I could find them, because I believed that their minds were freer from the influences that were acting upon the minds of others. They had very seldom held slaves; they had lost no slaves, and, consequently, were in a different state of mind, as I found right away. I visited them, therefore, and compared what they stated to me with what I had heard from others.

Question. Were the three most prominent men from whom you derived this information Alexander H. Stephens, Herschel V. Johnson, and Robert Toombs?

Answer. Yes, sir; I also went to see Mr. Trenholm, in Charleston, and Mr. Semmes, in Mobile.

WASHINGTON, D. C., June 27, 1871.

N. B. FORREST sworn and examined.

By the CHAIRMAN:

Question. Where is your residence?

Answer. My residence is in Memphis, Tennessee.

Question. In what portion of the country has your business taken you within the last year or eighteen months?

Answer. Mostly between Memphis, Tennessee, and Selma, Alabama; that is, in a southeast direction from Memphis; I am on that line most of the time.

Question. In what business have you been engaged?

Answer. I am president of two railroads that we are trying to build in that country; they are now consolidated, but have been two up to within the last few days.

Question. Has your business brought you in contact, to a large extent, with the people of the country through which your road passes?

Answer. Yes, sir, it has.

Question. We desire to ascertain the manner in which the laws are executed in the Southern States, and the security there enjoyed for person and property. So far as your observation enables you to speak, will you state what are the facts in that respect?

Answer. So far as I know, I have seen nothing that prevented the law from being executed; I have not seen anything at all to prevent the laws from being executed.

Question. Do you know anything of any combinations of men for the purpose either of violating the law, or preventing the execution of the law?

Answer. I do not.

Question. I have observed in one of the Western papers an account of an interview purporting to have been had with you in 1868, in which you are reported to have spoken of the organization of what was called the Ku-Klux in Tennessee, their operations, their constitution, the numbers of the organization; and also a correction in one or two particulars afterward made by you of the facts stated in that interview. You recollect the article to which I refer?

Answer. Yes, sir.

Question. Upon what information did you make the statement in regard to the organization and constitution of the Ku-Klux in Tennessee?

Answer. Well, sir, I had but very little conversation with that party.

By Mr. VAN TRUMP:

Question. Do you mean with the reporter?

Answer. With the reporter. He misrepresented me almost entirely. When he came to see me he was introduced to me by another gentleman. I was in my office, suffering with a sick headache, to which I am subject at times, so that I was disqualified from doing anything. I was just going to my residence, and I said to him that I had nothing to say. That was the most of the conversation that occurred betwixt us. I remember talking to him may be three or four minutes. He asked me if there was an organization in Tennessee, and I told him that it was reported that there was. That, I think, was about the conversation that we had in regard to the organization. So far as the numbers were concerned I made no statement.

By the CHAIRMAN:

Question. I will call your attention specifically to the report of the interview, as reported in the Cincinnati Commercial of Tuesday, September 1, 1868; also to a letter in the paper, dated Memphis, September 3, and published in the paper of September 6, the letter purporting to have been written by yourself. In the interview, as reported in the paper of the 1st of September, these sentences occur:

“In the event of Governor Brownlow’s calling out the militia, do you think there will be any resistance offered to their acts?” I asked.

“That will depend upon circumstances. If the militia are simply called out, and do not interfere with or molest any one, I do not think there will be any fight. If, on the contrary, they do what I believe they will do, commit outrages, or even one outrage, upon the people, they and Mr. Brownlow’s government will be swept out of existence; not a radical will be left alive. If the militia are called out, we cannot but look upon it as a declaration of war, because Mr. Brownlow has already issued his proclamation directing them to shoot down the Ku-Klux wherever they find them, and he calls Southern men Ku-Klux.”

“Why, General, we people up North have regarded the Ku-Klux Klan as an organization which existed only in the frightened imaginations of a few politicians.”

“Well, sir, there is such an organization, not only in Tennessee, but all over the South, and its numbers have not been exaggerated.”

“What are its numbers, General?”

“In Tennessee there are over 40,000; in all the Southern States they number about 550,000 men.”

Is there any other portion of that statement incorrect than the portion to which you called attention in your letter?

Answer. Well, sir, the whole statement is wrong; he did not give anything as it took place. So far as numbers were concerned, I knew nothing about the numbers of the organization. It was reported that there was such an organization in Tennessee, in fact throughout the United States; but I knew nothing about its operations.

Question. I will read your correction on that point in the letter of the 3d of September. In that letter you say:

“I said it was reported, and I believed the report, that there are 40,000 Ku-Klux in Tennessee; and I believe the organization stronger in other States. I meant to imply, when I said that the Ku-Klux recognized the Federal Government, that they would

obey all State laws. They recognize all laws, and will obey them, so I have been informed, in protecting peaceable citizens from oppression from any quarter."

Is that the correction which you make of the statement that I read to you in regard to your saying that there were 40,000 Ku-Klux in Tennessee?

Answer. I made that statement. I believed so then, for it was currently reported that there were that number of men.

Question. That correction goes to the number; that you believed it was so reported, and that you believed there were 40,000 Ku-Klux in Tennessee. Upon what authority did you make these statements that the organization existed?

Answer. I made it upon no authority, nothing of my personal knowledge at that time.

Question. Did you in this letter of the 3d of September correct all that you believed required correction in the account of the interview as published in the paper of the 1st of September?

Answer. I do not think I did. As I said before, I was very sick at the time and was unable to talk to this man. I did not talk to him five minutes. He said to me, "I will go and write down what you have said and let you see it." He went off, and I did not see anything more of him.

Question. I find that in your letter of correction you used these words: "The portions of your letter to which I object are corrected in the following paragraphs." Did you not correct all the portions of the letter to which you objected. Was not that the purpose of the letter?

Answer. That was the purpose of the letter, yes. That was the intention of it.

Question. Where did you obtain your information as to the number of Ku-Klux in Tennessee? You said it was reported and that you believed the report.

Answer. I got it from common reports circulated through the country.

Question. Can you give us any definite information of any particular person from whom you got that report?

Answer. No, sir; I never heard any one say that they knew any particular number of that society; just a report circulated through the country.

Question. Was it from the same source that you got the report that there were 550,000 in all the Southern States?

Answer. I never made that statement, because I knew nothing about how many there were.

Question. I find in the report of that interview another statement, as follows:

"But is the organization connected throughout the States?"

"Yes, it is. In each voting precinct there is a captain who, in addition to his other duties, is required to make out a list of names of men in his precinct, giving all the radicals and all the democrats who are positively known, and showing also the doubtful on both sides and of both colors. This list of names is forwarded to the grand commander of the State, who is thus enabled to know who are our friends and who are not."

I do not remember that there is in your letter any correction of that statement.

Answer. Well, sir, I made no such statement at all to this man as that.

Question. Did you correct that statement in your letter?

Answer. I do not know whether it was corrected in the letter or not. If it was not, I wish to do it here. I made no such statement. I did not have as much conversation with him as you and I now have had. There were gentlemen there who heard what was said. I was suffering very much with a headache at the time, and told him I could not talk to him, that I did not wish to talk to him. He asked me a few questions.

Question. Is this statement as reported in the account of that interview a correct statement:

"Can you or are you at liberty to give me the name of the commanding officer of this State?"

"No; it would be impolitic."

Answer. No, sir; I never made that statement. I have received a letter from that reporter, acknowledging that he did misrepresent me. I do not have it here. Afterward, when he wrote another letter stating that he went with me to Fort Pillow, and that I had shown him where the negroes were killed, and how the battle was fought, he went on to make statements of all the facts, which statements were entirely false. I had never traveled with the man ten feet in my life.

Question. Is the whole account of this interview a misrepresentation?

Answer. Not all of it. I told him that I believed there was an organization in Tennessee, and that it had been reported 40,000 strong. I told him that; I said that.

Question. I find these sentences near the close of your letter of correction:

"I cannot consent to remain silent in this matter, for, if I did so, under an incorrect impression of my personal views, I might be looked upon as one desiring a conflict, when, in truth, I am so adverse to anything of the kind that I will make any honorable sacrifice to avoid it.

"Hoping that I may have this explanation placed before your readers, I remain, very respectfully," &c.

I will put the question again: Did you, in this letter, correct all that you deemed a misrepresentation in the account of the interview with you?

Answer. I do not think I did, and my friends thought so afterward. But I am not accustomed to writing letters, or to be interrogated by reporters. That was something entirely new to me; I did not expect it.

Question. Is this statement in that account correct:

"Do you think, General, that the Ku-Klux have been of any benefit to the State?"

"No doubt of it. Since its organization, the leagues have quit killing and murdering our people. There were some foolish young men who put masks on their faces and rode over the country, frightening negroes; but orders have been issued to stop that, and it has ceased. You may say, further, that three members of the Ku-Klux have been court-martialed and shot for violations of the orders not to disturb or molest people."

Is that statement correct?

Answer. No, sir; not the last part of it.

Question. That is, as to the shooting of three members of the Ku-Klux?

Answer. No, sir; that is not correct.

Question. Is the other portion of it correct?

Answer. A portion of it is.

Question. That orders had been issued to stop using masks?

Answer. I did not say that orders had been issued, but that I understood orders had been issued. I could not speak of anything personally.

Question. Well, with your assent, I will put the whole of this account of the interview, and your letter of correction, into the testimony. [See page 32.] I will now ask if, at that time, you had any actual knowledge of the existence of any such order as the Ku-Klux?

Answer. I had, from information from others.

Question. Will you state who they were who gave you that information?

Answer. One or two of the parties are dead now.

Question. Who were they?

Answer. One of them was a gentleman by the name of Saunders.

Question. Did he reside in Tennessee?

Answer. No, sir; he resided in Mississippi then. He afterward died by poison at Asheville, North Carolina.

Question. Did any other person give you that information?

Answer. Yes, sir; I heard others say so, but I do not recollect the names of them now. I say to you, frankly, that I think the organization did exist in 1866 and 1867.

Question. In what portions of the country?

Answer. I do not think it existed anywhere except in Middle Tennessee. There may have been some in a small portion of West Tennessee; but if there was any, it was very scattering.

Question. Under what name is it your belief it existed at that time?

Answer. Some called them Pale Faces; some called them Ku-Klux. I believe they were under two names.

Question. Had they an officer known as a commander?

Answer. I presume they did.

Question. Was their organization military in its character?

Answer. No, sir; I think not.

Question. Were they subject to command and drill in any military form?

Answer. They were like the Loyal Leagues, and met occasionally and dispersed again. The Loyal Leagues existed about that time, and I think this was a sort of offset gotten up against the Loyal Leagues. It was in Tennessee at the time; I do not think it was general.

Question. Had it a political purpose then?

Answer. I think it had not then; it had no political purpose.

Question. You say it was organized like the Loyal Leagues, or in opposition to them?

Answer. I think it was in opposition.

Question. Was the purpose of the Loyal Leagues political?

Answer. I do not presume it was; I do not know what it was.

Question. What did you understand to be the purpose of the two organizations?

Answer. I can tell you what I think the purpose of the organization that you first spoke of was; I think it was for self-protection.

Question. You mean now what is called Ku-Klux?

Answer. Yes, sir; I think that organization arose about the time the militia were called out, and Governor Brownlow issued his proclamation stating that the troops would not be injured for what they should do to rebels; such a proclamation was issued. There was a great deal of insecurity felt by the southern people. There were a great many northern men coming down there, forming leagues all over the country. The negroes were holding night meetings; were going about; were becoming very insolent;

and the southern people all over the State were very much alarmed. I think many of the organizations did not have any name; parties organized themselves so as to be ready in case they were attacked. Ladies were ravished by some of these negroes, who were tried and put in the penitentiary, but were turned out in a few days afterward. There was a great deal of insecurity in the country, and I think this organization was got up to protect the weak, with no political intention at all.

Question. Do I understand you to say that the Loyal League organization in Tennessee countenanced or promoted crimes of the kind which you have mentioned?

Answer. I do not know that they promoted them; but those crimes were not punished; there was very little law then.

Question. Was this before the organization of the State government, or did it continue afterward?

Answer. Well, it continued so for a year afterward.

Question. How long, according to your information, did this Ku-Klux organization exist?

Answer. I think it was disorganized in the early part of 1868.

Question. Did it continue until after the presidential election?

Answer. No, sir; I think it was in the latter part of 1867, or the early part of 1868; I do not know the exact date.

Question. Where can we get the information as to the manner of its dissolution and the time of it?

Answer. I do not know where you can get it. I never got any positive information except that it was generally understood that the organization was broken up.

Question. Who were understood to belong to it?

Answer. Men of the Southern States, citizens.

Question. Did they speak to you without hesitation of the organization, as if it required no concealment?

Answer. No, sir; they did not.

Question. Did they deny or admit its existence?

Answer. They did not do either; they did not deny it or admit it. It was understood though, among the southern people, that this organization had disbanded about the time of the nomination of candidates for President of the United States.

Question. When they proceeded to carry out the objects of the organization, did they do it in numbers, by riding in bands?

Answer. I do not know; I never saw the organization together in my life; never saw them out in any numbers, or anything of the kind.

Question. Did you get the same information in regard to that as you did in regard to its origin and its disbanding?

Answer. Yes, sir; I understood that they patrolled communities, rode over neighborhoods.

Question. Did they go in disguise?

Answer. I suppose some of them did.

Question. Was that the general understanding?

Answer. That was the rumor.

Question. Did they proceed to the extent of whipping or killing men?

Answer. I heard of men being killed, but I did not know who did it.

Question. Was it done by these persons in disguise?

Answer. Well, yes, sir; there were men killed in Tennessee and in Mississippi by bands in disguise. There were men found down there disguised, white men and negroes both.

Question. Your residence is in Memphis?

Answer. Yes, sir.

Question. Close to the Mississippi line.

Answer. Yes, sir.

Question. Did not the same organization extend into Mississippi?

Answer. I do not know whether it did or did not.

Question. Have you any knowledge of any secret organization in Mississippi?

Answer. I never heard of but one case where there was anything of that sort over there, that came under my direct knowledge.

Question. Where was that?

Answer. At Holly Springs.

Question. How long since?

Answer. In 1867.

Question. In that portion of the State of Mississippi through which your road runs, have you any knowledge of any outrages by persons in disguise having been committed since 1867?

Answer. Only one instance, and that was not an outrage.

Question. Where was that?

Answer. At Greensboro, Alabama. Well, I heard of another one.

Question. What occurred at Greensboro?

Answer. Well, a man was taken out of jail for stealing horses.

Question. Did they release him?

Answer. Yes, sir. I was not there at the time; I was in Memphis at the time; they passed my camp on the road.

Question. Were they in disguise?

Answer. It was reported that they were.

Question. How late was that?

Answer. I suppose it was eighteen months ago; may be not so long as that.

Question. In what county is Greensboro?

Answer. It is in Hale County.

Question. What was the other instance to which you were about to refer a moment ago?

Answer. The other was at Eutaw, on the line of my road.

Question. In Greene County, Alabama?

Answer. Yes, sir.

Question. Through what counties does your road run?

Answer. It runs through Perry, Hale, Greene, Dallas, and Pickens Counties, Alabama; through Lowndes, Monroe, Pontotoc, Chickasaw, Union, Benton, Marshall, and De Soto Counties, in Mississippi; and Shelby County, in Tennessee. It runs across the corners of those counties, not directly through the most of them.

Question. What was the occurrence in Eutaw to which you referred?

Answer. That was the case of Miller, I think; I heard that; I do not know it to be so. It was currently reported there that this man was killed one night by a band of disguised men.

By Mr. BECK:

Question. Was it Boyd?

Answer. Yes, sir; Boyd was the name. Miller was an uncle of Boyd.

By the CHAIRMAN:

Question. Have you any knowledge of any visit by disguised men in the county of Pontotoc, Mississippi?

Answer. I have not.

Question. Have you heard of none there recently?

Answer. I heard something about some men being disguised coming there, and one of them was shot; but I do not know anything about it.

Question. Do you know a man in Pontotoc by the name of Pollard?

Answer. No, sir; I do not know him.

Question. Did you meet a man of that name there in 1867 or 1868?

Answer. I have no recollection of meeting a man there of that name. I was in the county in 1869, canvassing the county, and I made a speech in every civil district in the county, for subscriptions to the road I am interested in. In 1868 I made a speech at Pontotoc in regard to the same road, and I met a great many men there I did not know.

Question. Did this organization of Ku-Klux exist there at that time?

Answer. I do not think it did; I never heard of it.

Question. Had you any communication with Pollard about establishing it there?

Answer. No, sir.

Question. You did not know Pollard?

Answer. I never saw him or heard of him, that I recollect. I do not know many men there in that county, except those who were in the army. There was one regiment from that county that served under me, and I knew a few of the leading men in Pontotoc.

Question. Then I understand you to say that this whole statement, giving the idea that you knew of your own knowledge of the organization of the Ku-Klux, or that you knew of their numbers or their discipline, is incorrect?

Answer. I never said to that man that I knew anything about it.

Question. Had you ever a constitution of the order?

Answer. I saw one; yes, sir.

Question. Where was that?

Answer. That was in Memphis.

Question. Who had it?

Answer. Well, it was sent to me in a letter.

Question. Have you that constitution yet?

Answer. No, sir.

Question. What has become of it?

Answer. Well, I burned up the one I had.

Question. Who sent it to you?

Answer. That I cannot tell.

Question. Did it come anonymously?

Answer. Yes, sir; it came to me anonymously.

Question. What was the purport of it?

Answer. The purport of that constitution, as far as I recollect it now, was that the organization was formed for self-protection. The first obligation they took, if I recollect it aright, was to abide by and obey the laws of the country; to protect the weak; to protect the women and children; obligating themselves to stand by each other, in case of insurrection or anything of that sort. I think that was about the substance of the obligation.

Question. Was it a secret organization?

Answer. I presume it was.

Question. Did it so purport to be in the constitution?

Answer. Yes, sir; I think so.

Question. The constitution required secrecy?

Answer. I think it required secrecy.

Question. Did it require the members of the society to obey the orders of all superior officers?

Answer. Yes, sir; I think so.

Question. Under what penalty?

Answer. I do not think there was any penalty attached; I do not recollect now.

Question. Did it refer to a ritual, or a mode of initiation?

Answer. I think it did.

Question. What was the name of the organization given in that constitution?

Answer. Ku-Klux.

Question. It was called Ku-Klux?

Answer. No, sir; it was not called Ku-Klux. I do not think there was any name given to it.

Question. No name given to it?

Answer. No, sir; I do not think there was. As well as I recollect, there were three stars in place of a name. I do not think there was any name given to it.

Question. That is, when it came to the name there was a blank, and stars in the blank?

Answer. Yes, sir.

Question. Signifying that the name was to be kept secret?

Answer. You are to place your own construction on that.

Question. That is the way it stood—the name of the organization left blank, and stars in its place—that is the way it stood in the constitution?

Answer. Yes, sir.

Question. Have you any idea how that came to be sent to you?

Answer. No, sir; I do not know how it came to be sent to me.

Question. From what point was it sent?

Answer. It was mailed from some place in Tennessee; I do not recollect now what point it was mailed from. I was getting at that time from fifty to one hundred letters a day, and had a private secretary writing all the time. I was receiving letters from all the Southern States, men complaining, being dissatisfied, persons whose friends had been killed, or their families insulted, and they were writing to me to know what they ought to do.

Question. Was there any request of any character to you in connection with this constitution?

Answer. No, sir.

Question. There was no written communication along with it?

Answer. No, sir.

Question. Nothing to signify from whom it came?

Answer. No, sir.

Question. Was there anything to show where it was printed?

Answer. No, sir.

Question. No printer's name on it?

Answer. No, sir.

Question. No place at which it was printed?

Answer. No; there was nothing indicating where it was printed; there was nothing to indicate that; I am certain there was not.

Question. It was the constitution of a secret society, organized where?

Answer. Well, it did not say.

Question. Do you believe that constitution was the basis of the organization which you say existed in Tennessee?

Answer. I think it was.

Question. Did it require an organization in each county?

Answer. Well, I cannot say whether it did not; I do not know whether they had an organization in each county or not.

Question. Did the constitution require it?

Answer. I think not.

Question. Was there a mode of getting up subordinate and superior organizations?

Answer. Well, I presume there was; I do not recollect now. Well, if I had thought

this thing would have come up in that shape, I would have tried to have gotten hold of one of these prescripts, as they were called, to give to you.

Question. Is it your impression that there were subordinate camps, or lodges, or divisions, whatever they were called, in each county?

Answer. Well, yes, sir; I reckon there was.

Question. Under the control of a superior officer in the county?

Answer. Yes, sir; I presume that was the intention of it.

Question. Were they required to report to a superior organization in the State?

Answer. I do not think they were; I do not recollect that they were.

Question. In the account of this interview you are represented as saying, "This list of names is forwarded to the grand commander of the State, who is thus enabled to know who are our friends and who are not."

Answer. I do not think there is anything in this prescript indicating anything of that sort.

Question. There may not be a "grand commander;" may there not be a chief officer of this organization in the State?

Answer. I do not know whether there was or not.

Question. You read the prescript?

Answer. Yes, sir; there was no name given in the prescript.

Question. I am not speaking of the name of the man; but was there not such an officer, to be appointed or selected in the State?

Answer. It looks as if there would be in an organization of that sort.

Question. Is not that your impression, that there was a State organization, organizations in the counties, and interior organizations in the counties?

Answer. No, sir; I did not consider it a State organization.

Question. Then each county was an organization in itself?

Answer. There might have been an organization in the State, but, from all the information I could get, it was laid off in counties of the State. I think this organization was more in the neighborhood of places where there was danger of persons being molested, or in large negro counties, where they were fearful that the negroes would rise up. I think that is where the organization existed mostly. I do not think it existed at all in the poorer neighborhoods, where there was no danger of insurrection. There were a great many fires at that time, burning of gin-houses, mills, &c.

Question. Had there been any disturbance of that kind in your neighborhood?

Answer. No, sir; there was no difficulty there in my neighborhood, with one exception.

Question. Did you act upon that prescript?

Answer. No, sir.

Question. Did you take any steps for organizing under it?

Answer. I do not think I am compelled to answer any question that would implicate me in anything. I believe the law does not require that I should do anything of the sort.

Question. Do you place your declination to answer upon that ground?

Answer. I do not.

Question. I only wish to know your reasons for declining to answer. I will communicate to you the fact that there is an act of Congress which provides that such a reason shall not excuse a witness from answering. If you desire, I will read it to you. It is as follows:

"That the provisions of the second section of the act entitled 'An act more effectually to enforce the attendance of witnesses on the summons of either House of Congress, and to compel them to discover testimony,' approved January 24, 1857, be amended, altered, and repealed, so as to read as follows: That the testimony of a witness examined and testifying before either House of Congress, or any committee of either House of Congress, shall not be used as evidence in any criminal proceeding against such witness in any court of justice: *Provided, however,* That no official paper or record produced by such witness on such examination shall be held or taken to be included within the privilege of said evidence so to protect such witness from any criminal proceeding as aforesaid; and no witness shall hereafter be allowed to refuse to testify to any fact, or to produce any paper touching which he shall be examined by either House of Congress or any committee of either House, for the reason that his testimony touching such fact, or the production of such paper, may tend to disgrace him or otherwise render him infamous: *Provided,* That nothing in this act shall be construed to exempt any witness from prosecution and punishment for perjury committed by him in testifying as aforesaid."

I will repeat the question: Did you take any steps for organizing an association or society under that prescription?

Answer. I did not.

Question. Did you communicate it to any other person for the purpose of having an organization made?

Answer. The organization was made, I presume; before I ever saw the prescript or knew anything about it.

Question. Did you communicate this prescript, or any copy of it, to any person, for the purpose of enabling them to organize under it?

Answer. I never sent out any of the prescripts, or anything of that kind, to any one.

Question. Did you give this particular prescript, or any copy of it, to anybody, so that they might use it for organizing under it?

Answer. I have just stated that I never gave out any or sent out any for the purpose of organizing.

Question. I am now inquiring about this particular prescript, not about distributing others.

Answer. No, sir, I never did; I burned that one up.

Question. Did you show it to any one, read it to any one, or allow any one to read it?

Answer. I am not able to answer that question; I do not recollect whether I ever did or not; I might have shown it and I might not have shown it; I do not recollect.

Question. Were there any organizations of this order, whatever it may be, in your neighborhood after that time?

Answer. I presume there were before.

Question. Were there any afterward?

Answer. I think there were.

Question. Do you know any of the members of them?

Answer. No, sir, not now, I do not recollect the members of them.

Question. Did you know at that time who were the members?

Answer. I do not remember.

Question. Can you now tell us who were the members, or any single member, of that organization?

Answer. [After a pause.] Well, that is a question I do not want to answer now.

Question. You decline to answer?

Answer. I would prefer to have a little time, if you will permit me.

By Mr. STEVENSON:

Question. What is your reason for wanting time?

Answer. I want to study up and find out who they were, if I have got to answer the question; that is the reason.

By the CHAIRMAN:

Question. What length of time will you probably require?

Answer. Well, sir, I do not know that I could say now, as I am in the midst of this examination. I would like you to pass that over for the present and let me have some time to think over it.

Question. Do you remember whether there were any signs or pass-words referred to in the prescript?

Answer. I think there were.

Question. Were they given in it, or did the prescript refer to a ritual or mode of initiation for the signs?

Answer. I think the prescript referred to a ritual.

Question. Do you know what any of those signs and pass-words were?

Answer. I did know, but I have not thought of it in two years, and I do not know that I could give one of them.

Question. If you can give one now, do so.

Answer. I do not believe I could. You will have to let that pass over a little while, if it is necessary to answer it, for it is a matter that has gone out of my knowledge for eighteen months or two years; I have not thought of it in that time.

Question. Your impression is that the pass-words and signs were not given in the prescript, but were referred to in the ritual or mode of initiation?

Answer. I am not able to answer that question; I do not know whether they were or not.

Question. Have you ever seen those signs used among any of the men in Alabama or Mississippi.

Answer. I never have; I have never seen the organization together.

Question. Or in Tennessee?

Answer. I have never seen the organization together in numbers.

Question. Well, without seeing it together, have you ever seen those signs used for the purpose of recognition between individuals?

Answer. Yes, sir, I think I have.

Question. You recognized the signs?

Answer. Well, yes, I understood it.

Question. Understanding it, then, do you still wish time to consider whether you could give them or not?

Answer. I cannot give you one of them correctly now to save my life, I have no idea I could. It was a matter I knew very little about; I had very little to do with it. All my efforts were addressed to stop it, disband it, and prevent it.

Question. How did you get to know the sign?

Answer. It was given to me by one who, I suppose, was one of the members.

Question. Did he understand you to be one?

Answer. No, sir, not at that time.

Question. How came he to give it to you?

Answer. I asked him to give it to me in order that I might try and check the thing; I was trying to keep it down as much as possible.

Question. Who was he?

Answer. This man Saunders, who, I told you, died at Asheville, North Carolina; he was poisoned by his wife there.

Question. When was it?

Answer. In 1867; the early part of 1867.

Question. Were you trying to suppress the organization, or the outrages you speak of?

Answer. I was trying to suppress the outrages.

Question. Outrages committed by colored men?

Answer. By all people; my object was to keep peace

Question. Did you want to suppress that organization?

Answer. Yes, sir; I did suppress it.

Question. How?

Answer. Had it broken up and disbanded.

Question. What influence did you exert in disbanding it?

Answer. I talked with different people that I believed were connected with it, and urged its disbandment, that it should be broken up.

Question. In the light of that statement, is it not probable that this part of the account of the interview with you is correct?

"Since its organization the leagues have quit killing and murdering our people. There were some foolish young men who put masks on their faces, and rode over the country, frightening negroes; but orders have been issued to stop that, and it has ceased."

Answer. I never uttered such words; I did not talk to that man twenty words?

Question. You say you were trying to stop the proceedings, and that they did stop?

Answer. Yes, sir; and I think they completely stopped. I do not hear of anything of that kind now—of difficulties there—any more than I hear of them here. I think that since 1863 that organization has been disbanded. I do not think there has been any organization together; if there has been, it has been by irresponsible parties, without any organization at all.

Question. What was the object of their pass-word?

Answer. I presume like any other pass-word.

Question. What was their pass-word?

Answer. I cannot tell you now.

Question. Did you know?

Answer. At one time I believe I did know one of their pass-words, but I have forgotten what it was.

Question. Was it Shiloh?

Answer. No, sir, I never heard that given as a pass-word.

Question. When you got the sign and the pass-word, did you not also get the name of the organization, so as to be able to fill the blank in the prescript?

Answer. Well, I believe it was called the Ku-Klux organization; I do not know whether the young man gave it to me at that time or not. It was in the road, when we were talking about it.

Question. Then you at least had the confidence of the organization?

Answer. I had the confidence of the southern people, I think.

Question. Was there any political object whatever in this organization?

Answer. There never was, that I ever heard of.

Question. You say you have seen this sign recognized; where?

Answer. The sign I saw recognized, I believe—well, I do not recollect now where it was; whether in the house or on the road.

Question. Was it in Tennessee?

Answer. Yes, sir.

Question. Did you ever see it recognized any place else?

Answer. No, sir, I never did.

Question. Against whom did this organization operate?

Answer. I do not think it operated against any person particularly; I think it was, as I said before, an organization for the protection of southern people against mobs, and rapes, and things of that sort. I never knew any portion of the organization to commit any deed.

Question. Did you never understand that they went out and took persons from their homes and whipped them?

Answer. That was the newspaper rumor.

Question. Of all those you have heard of being whipped were any democrats?

Answer. Well, I do not know that they were; I do not recollect whether they were

democrats or what they were. I heard of some men who had been stealing horses being whipped, and I heard of men being whipped who had been whipping their wives; and I heard of negroes being whipped who had been committing outrages, or something of that sort—caught on the road with things in their possession. They were thrashed.

Question. Did you ever hear of any other persons except those charged with offenses of this kind being visited by this party?

Answer. I heard of Boyd and others being killed; but that came more directly under my eye, from the fact that I was building my road and passing through the country there.

Question. Was it not your information that the men who killed Boyd came there in the same kind of uniform and disguise as was used by these men in Tennessee?

Answer. I never heard; I understood they were disguised, but I never understood what was the disguise.

Question. What was the manner in which these men were disguised in Tennessee?

Answer. In almost every shape.

Question. Did they have masks over their faces?

Answer. I think some had masks.

Question. Did they have high caps on their heads?

Answer. Some of them had caps, some had none at all.

Question. Did they have loose gowns?

Answer. I do not think there was any uniform that they adopted. I heard of some having on black gowns, some red gowns, and some with white sheets wrapped around them. I do not think there was any uniform.

By Mr. BECK:

Question. How long since you have read over this article in the Cincinnati Commercial of September 1, 1868, purporting to give the interview with you?

Answer. I have never read it since shortly after it was published. It was a matter like many others. There were a great many things said in regard to myself that I looked upon as gotten up merely to affect the elections in the North. I felt that was the object of it. I passed it by, and have not thought of it since.

Question. They have been in the habit of writing a great many things about you in the newspapers.

Answer. Particularly about that time the papers were full of them, not only all the papers, but people all over the Northern States were making speeches denouncing me; at least they were so reported in the papers.

Question. You did not profess to answer what you saw generally in the newspapers?

Answer. I did not; I felt it was useless, that it would have no effect.

Question. You do not even now know the contents of this article, except such portions of it as the Chairman has read to you to-day?

Answer. I do not; I do not recollect having read it since that time.

By Mr. POLAND:

Question. The letter which you wrote yourself, and which was published, you wrote after reading the article in the newspaper?

Answer. Yes, sir; I wrote that letter after reading the article in the paper.

Question. You then knew what it was?

Answer. Yes, sir.

By Mr. BECK:

Question. This is your letter:

“MEMPHIS, September 3, 1868.

“DEAR SIR: I have just read your letter in the Commercial, giving a report of our conversation on Friday last. I do not think you would intentionally misrepresent me, but you have done so, and I suppose you mistook my meaning. The portions of your letter to which I object are corrected in the following paragraphs:

“I promised the legislature my personal influence and aid in maintaining order and enforcing the laws. I have never advised the people to resist any law, but to submit to the laws until they can be corrected by lawful legislation.

“I said the militia bill would occasion no trouble, unless they violated the law by carrying out the governor's proclamation, which I believe to be unconstitutional and in violence of law, in shooting men down without trial, as recommended by that proclamation.

“I said it was reported, and I believed the report, that there are 40,000 Ku-Klux in Tennessee; and I believe the organization stronger in other States. I meant to imply, when I said that the Ku-Klux recognized the Federal Government, that they would obey all State laws. They recognize all laws and will obey them, so I have been informed, in protecting peaceable citizens from oppression from any quarter.

“I did not say that any man's house was picketed. I did not mean to convey the idea that I would raise any troops, and, more than that, no man could do it in five days, if they were organized.

"I said that General Grant was at Holly Springs and not at Corinth; I said the charge against him was false, but I did not use the word 'liar.'

"I cannot consent to remain silent in this matter; for if I do, under an incorrect impression of my personal views, I might be looked upon as one desiring a conflict. when, in truth, I am so adverse to anything of the kind that I will make any honorable sacrifice to avoid it.

"Hoping that I may have this explanation placed before your readers, I remain, very respectfully," &c.

Did I understand you to tell the Chairman that you did not undertake to correct all the misrepresentations of the correspondence, but only such things as you thought did you personal injustice?

Answer. Yes, sir.

Question. Leaving the false misrepresentations to stand for what they were worth?

Answer. That is what I intended to do. In fact, I did not want to go into a long detail of the thing. I said to this gentleman that I believed there was such an organization from the best information that I could get. But as to the numbers I did not tell him, because I knew nothing about the numbers. I said to him that I did not believe there would be any conflict with the people of Tennessee, unless the militia went out and attempted to destroy the people, as Governor Brownlow's proclamation indicated.

Question. What was your understanding of that proclamation of Brownlow? I have forgotten all about it.

Answer. I have not read the proclamation since it first came out. I was very actively engaged, and have been since that time, in trying to build railroads and establish factories and foundries in the country. I have been traveling and working all the time, and I have not thought anything about these things. My recollection of his proclamation is that the militia should not be punished, or would not be punished, for any depredations they might commit upon rebels; that the people there would be treated as rebels, &c.; intimating that if a man killed a man who had been in the southern army, there would be nothing done with him.

By Mr. VAN TRUMP:

Question. That proclamation was issued after the close of the war?

Answer. Yes, sir; in 1866 or 1867, I believe; about the time of this organization.

Question. Do you not know the fact that these leagues were organized before the Ku-Klux was heard of?

Answer. I do not know whether it was or not; but that was my understanding—that this organization was organized after the proclamation and after those leagues.

By Mr. BECK:

Question. What was the effect upon the people of Tennessee as to their sense of security of life and property, and the safety of their wives and children, after that proclamation of Brownlow; whatever may have been the language of it, what impression was produced upon the people of Tennessee by it?

Answer. It produced a great deal of fear and trepidation on the part of the people; they feared the militia would undertake to carry out the idea of the proclamation.

By Mr. VAN TRUMP:

Question. It was a kind of amnesty for any future depredations this militia might commit.

Answer. Yes, sir; that was the intent of the proclamation; at least the southern people so looked upon it. If a man belonging to the militia should shoot you and me down, if we were southern men, there would be nothing done to him.

By Mr. BECK:

Question. That was the impression made upon the people?

Answer. Yes, sir; and then the Loyal League coming in about the same time, and these rapes being committed, and the impudent colored people constantly toting about arms, firing in the night-time, created a great deal of uneasiness in the thick neighborhoods, where there were negroes; but in the poorer neighborhoods I do not think that insecurity was felt.

Question. Were the white people disarmed by Brownlow's orders, and forbidden, in organized bodies, to carry arms?

Answer. I think so; I do not recollect now.

Question. Was that the fact?

Answer. That was the understanding.

Question. Were the militia composed mostly of colored men?

Answer. No, sir; not in that part of the State; I think that in the middle portion of the State the most of them were white men, but I think some colored troops were out.

Question. That militia was organized under that proclamation, and substantially took possession of the police of the country?

Answer. Yes, sir.

Question. While they were in power, was it the fact that there were cases of rape, arson, house-breaking, and other crimes?

Answer. There were cases of that sort reported throughout the country; I do not know to what extent; and there were cases where they were tried and put in the penitentiary, and the governor pardoned them at once; they were turned loose; I merely heard of one or two cases, but I do not recollect them now.

By Mr. VAN TRUMP:

Question. Was not the very name of Brownlow at that time a terror to the people of Tennessee?

Answer. It was; they were very much frightened.

By Mr. BECK:

Question. So that his militia were not regarded as being put out in good faith for the protection of the people, but to put down one party and elevate the other for his own political aggrandizement.

Answer. That was the understanding, and a great many men had to fly the country in East Tennessee; and a great many have not gone back yet. A great many who had been in the southern army were killed, when they returned home, by Union men. There was more bitterness there than in any other part of the country.

By Mr. VAN TRUMP:

Question. East Tennessee was Brownlow's residence before he was governor?

Answer. Yes, sir.

By Mr. BECK:

Question. You say that whatever organization of Ku-Klux, or anything else, took place in the region of country with which you are familiar, it was gotten up through fear of depredations by the militia, and was the result of that state of things?

Answer. That is my understanding of it.

Question. And for the protection of themselves where the law was considered powerless?

Answer. According to my understanding, the organization was intended entirely as a protection to the people, to enforce the laws, and protect the people against outrages.

Question. Without any regard to whether they were perpetrated by democrats or republicans?

Answer. Yes, sir, I do not think that would make any difference; that is, that is my impression, while I do not know that is so; that was the general understanding in the community.

Question. So far as you had any understanding or information, was it to act upon elections in any shape or form?

Answer. No, sir, I never heard it said it was to have anything to do with elections.

By Mr. VAN TRUMP:

Question. In Tennessee you did not care much about elections then?

Answer. A large portion of the people in the State were disfranchised, and they did not attempt to make any effort to carry elections.

By Mr. BECK:

Question. Did there not come a change for the better over Tennessee in 1868, in the management of their laws?

Answer. As I said before, this organization was dispersed.

By Mr. STEVENSON:

Question. When was it dispersed?

Answer. In the early part of 1868.

Question. Do you mean in the spring of 1868?

Answer. Yes, sir; well, it might have been in the early part of the summer months; I cannot say, I do not know now.

By Mr. BECK:

Question. This communication, in the Cincinnati Commercial, bears date of the 1st of September, 1868. Were you speaking of the then existing state of things, or a previously existing state of things?

Answer. The letter I wrote was in answer to the letter this man had written.

Question. That was in September?

Answer. Yes, sir.

Question. And you think that at that time the organization had been disbanded?

Answer. Well, it must have been later than that; it must have been in the latter part of 1868, I reckon, that it was disbanded.

Question. Later than you first thought?

Answer. Yes, sir, I think it must have been in the latter part of 1868.

Question. The date of this communication would indicate that it was later than you first said?

Answer. Yes, sir.

Question. When was Senter elected governor of Tennessee; in 1868 or 1869?

Answer. I do not recollect; I have never voted, and have not paid any attention to the elections.

Question. You never have voted?

Answer. I voted a short time ago at Memphis for a subscription to build a railroad.

By Mr. VAN TRUMP:

Question. That was not a political vote?

Answer. No, sir; I have never offered a political vote; that is the only vote I have cast since the war.

By the CHAIRMAN:

Question. Did you vote in 1868?

Answer. No, sir.

By Mr. BECK:

Question. You could not?

Answer. No, sir.

Question. At that time there was a large number of men in Tennessee disfranchised?

Answer. Yes, sir.

Question. And you were one of them?

Answer. Yes, sir.

Question. When that organization was disbanded in 1868, what was the information you had as to the reason why it was disbanded?

Answer. That there was no further use for it; that the country was safe; that there was no apprehension of any trouble.

Question. You believed the laws would be vindicated without any interference of the people to protect themselves?

Answer. Yes, sir; Governor Brownlow had modified himself very much; the laws were going on and being respected and executed.

Question. Is it your understanding that persons who, of late, within the last year or two, have been disguising themselves and violating the law, have been doing it as mere temporary organizations?

Answer. I think it has been among wild young men and bad men; I do not think they have had any such organization.

Question. They have been called by the same name of the original organization that once existed?

Answer. Yes, sir.

Question. What is the length of your line of railroad?

Answer. It is two hundred and eighty miles.

Question. Running through the counties you have named?

Answer. Yes, sir.

Question. During the last year or two has there been any serious trouble among the people, white or black, along that line of road?

Answer. I have heard of but three cases. One is where they took out a man who had been arrested and put in jail for stealing horses. Another was at Greensboro in regard to the probate judge, who was a southern man living there. I understood these men came to his house; in fact, Judge Blackford came to me for protection, and I did protect him for a week.

By the CHAIRMAN:

Question. He was the probate judge?

Answer. Yes, sir; they got after him, but he made his escape.

By Mr. BECK:

Question. In what county was that?

Answer. In Hale County.

Question. How long ago?

Answer. I suppose five or six months ago.

Question. That was the horse thief?

Answer. No, sir; these men went there and turned out the horse thief. They went down after Blackford, who made his escape. I myself came there the next day, and he came to me and I protected him until he went away; finally he left the country. I do not know where he went. I heard that he had been appointed an agent in the mail service; probably, in Alabama.

Question. What was the pretext for annoying him?

Answer. He was looked upon as a man who had given a great deal of bad advice to the negroes, and kept them in confusion, and off the plantations. He was a southern man, who had been in the confederate army, and had gone over to the radical party. He had large meetings of the negroes at his house, firing around and shooting, and it had become very dissatisfactory to the people. He was a drinking man, and when drunk would make threats. I do not myself believe there was any harm in him. I had had a great deal to do with him; he and I had canvassed two counties together.

By Mr. VAN TRUMP:

Question. Canvassed for railroads?

Answer. Yes, sir; he assisted me in my elections. In fact I had the assistance of republicans in all the elections I held in each county, except Greene County.

By the CHAIRMAN:

Question. Upon the question of local subscriptions to railroads?

Answer. Yes, sir.

By Mr. VAN TRUMP:

Question. There has been some intimation in the testimony about your road being used to carry men in disguise. Has there been anything of that sort done on your road with your knowledge or consent?

Answer. I am satisfied there has been nothing of that sort done.

By the CHAIRMAN:

Question. Is your road finished?

Answer. Fifty miles, on which I am running trains every day.

By Mr. COBURN:

Question. Where?

Answer. From Marion Junction out to Warrior River, near Eutaw.

By Mr. BECK:

Question. The attack on Blackford was because of his official misconduct?

Answer. I understood so; they never understood whether it was by white men or by black men; they were all strangers there, I understood. They were in the street, and I believe they got down and went into the hotel.

Question. Were they disguised?

Answer. I do not think they had any disguises on their faces at all

Question. Blackford was not hurt?

Answer. No, sir.

Question. You have stated two cases; what was the third case?

Answer. That was the case in Pontotoc; I do not think anybody was hurt there, except that one of the men who were in disguise was killed.

By Mr. STEVENSON:

Question. Do you refer to the attack on Flournoy?

Answer. That case and the two cases of Boyd and Blackford are the only three cases I have heard of on the line of my road. And the cases of Boyd and Flournoy were on the portions of the road that were not being worked at the time; we were not occupying that portion of the road; but at Greensboro we were working on the road.

By Mr. BECK:

Question. Has there been any difficulty with your hands along the line of your road?

Answer. Not a bit.

Question. Do you work many negroes?

Answer. I have about four hundred.

Question. They vote as they please, as far as you know?

Answer. They voted as they pleased at the last election. About three hundred had come from North Carolina, but they were not entitled to vote; had not been in Alabama long enough; they had been working a portion of the time in Mississippi, and they did not vote. But all those who were entitled to vote voted without any molestation. I said when I started out with my roads that railroads had no politics; that I wanted the assistance of everybody; that railroads were for the general good of the whole country. We have had no political discussion along the line of my road; we have had no difficulty. I hired three hundred colored men in North Carolina, and they worked for me twelve months; their time was out last May; they were paid off. About one hundred and fifty of them returned, and a portion of them, in fact I think all but about fifteen, have come back. They got one-half of their money monthly until the end of the year, when they were paid off.

Question. You say you canvassed every civil district in those counties for your railroad?

Answer. Yes, sir.

Question. In the course of that canvass did there seem to be any difficulty in enforcing the laws where you have been, and protecting men in their lives, liberty, and property?

Answer. I have not heard of any; the laws are regularly executed.

Question. In the course of your experience have you heard of a man being molested for his political opinions upon one side or the other?

Answer. This man Blackford I suppose was molested because he was thought to be tampering with the negroes and preventing them from working.

Question. It was believed that he had gone out of the legitimate sphere of politics, and perhaps advised violence?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Had Blackford advised violence?

Answer. It was a rumor through the town that he had been talking with the negroes.

Question. Had he been advising violence?

Answer. I heard him once advise violence when we were canvassing together. He was drunk. I do not think he was responsible then. He came to me the next day and said that he was ashamed of himself; that was at Hay's Mound.

Question. What did he say?

Answer. I do not recollect exactly his words; but it was something about fighting their own way, having their own way, and if people did not let them have it, make them do it; stand up to them; it was very offensive. While I did not think much of it, southern men did who were there and heard it. I told him that we ought not to let such things as that get into the road. I was very much abused by some of the presses in Alabama for having anything to do with Blackford, and was accused of being a radical myself. The papers went on to abuse me about going over to the republican party.

Question. Was the substance of what Blackford said that they should assert their rights?

Answer. It was in a loose, drunken way that he was talking to them; I do not think he really knew what he was saying.

By Mr. STEVENSON:

Question. You have stated the substance of what he said?

Answer. Yes, sir.

By Mr. BECK:

Question. That they ought to take their rights if they were not given to them, and he would stand by them?

Answer. Yes, sir; it was in a boasting, bragging, drunken manner, that I did not think amounted to anything. There were some who tried to make something out of it; but I tried to excuse Blackford on the ground that he was drunk. I wanted the subscriptions and tried to carry all the votes I could. I set out by saying that railroads had no politics. I do not think they ought to have or will have as long as I can help it.

By the CHAIRMAN:

Question. I have here before me a communication published in a paper called the Southern Argus, at Selma; do you know that paper?

Answer. Yes, sir.

Question. Is it a democratic paper?

Answer. I cannot tell you really what its politics are.

Question. The communication is very short; I will read it. It is from the Southern Argus, published at Selma, Alabama, February 3, 1871:

THE LATE GREENSBORO AFFAIR.

"To the editor of the Argus:

"SIR: I see from your article in your last issue, January 27, that you accuse a body of disguised men of going to Greensboro, on Tuesday last, and releasing a man from the jail in that place who had been confined for horse stealing. We inform you, sir, that your author has told a malicious falsehood. The man who was released on that evening was not confined for horse stealing, but for killing a negro and the taking of a Yankee's horse, openly, that it might enable him to make his escape from a court (like Blackford's) of injustice; and we say to you, sir, that the party did not visit Greensboro on that evening for the purpose of releasing this man McCrary, but for the purpose of catching and giving Mr. Blackford what he lawfully deserves, and will get be-

fore the 1st day of March. We do not communicate to you for the purpose of clearing ourselves of but one thing, and that is the release of a horse-thief. Sir, it is not our object to release thieves; but, on the other hand, it is our sworn duty to bring them all to justice; and we in this section of country intend and will see that all thieves shall be punished to the extent of the law; and in cases where the law cannot reach them, the party that released the man in Greensboro will give them all they deserve, and perhaps a little more.

"Yours, truly, &c.,

"K. W. C."

"P. S.—The writer is a subscriber to your paper, and would be pleased to see this and an additional article by you in your next issue.

"K.

"ALABAMA, January 31, 1871."

Is the sentiment contained in that article really a sentiment which receives countenance in the community?

Answer. I do not think so. I never read that article; I heard it spoken of and very much condemned by the best men in the county.

Question. You think, then, that the sentiment there that killing a negro is a less offense than stealing a horse—

Answer. I never heard of this man killing a negro.

Question. This writer says: "We do not communicate to you for the purpose of clearing ourselves of but one thing, and that is the release of a horse-thief. Sir, it is not our object to release thieves * * *. The man who was released on that evening was not confined for horse-stealing, but for killing a negro." Is that sentiment sustained there at all—that it is a lighter offense to kill a negro than to steal horses?

Answer. No, sir; there is no man who believes that the offense of killing a negro is less than killing a white man.

By Mr. STEVENSON:

Question. Did you know who this correspondent was who published the account of the interview with you?

Answer. I never saw him before.

Question. When you saw him did you learn who he was?

Answer. Yes, sir; he told me who he was afterward.

Question. You got his name?

Answer. I do not think I did at the time.

Question. When?

Answer. After the article was written.

Question. Did you get it from the communication?

Answer. Probably he told me his name. I reckon he did; but it was just as I say to you; I was in that condition that I do not recollect anything. I was suffering from a sick-headache, and had started to my house.

Question. Did he walk along with you?

Answer. I sat on the steps for three or four minutes, and then he walked along to my gate.

Question. How far?

Answer. Sixty or eighty yards.

Question. You walked along talking?

Answer. Very little, I think.

Question. May it not well be that you were in such a condition at that time that you do not remember now what you did say?

Answer. I do not pretend to say that I recollect all that was said.

Question. How many men did you surrender at the end of the war?

Answer. About 6,000; I think between six and seven thousand.

Question. Was it not about 7,000?

Answer. Well, it is likely it was. I do not recollect the number now.

Question. You would have been more likely to have remembered in 1863 than now?

Answer. No, sir; I do not think I would.

Question. Did you accept a parole at that time?

Answer. I did, and issued an address when I did accept the parole—I do not know whether you have had it or not—it was published in all your papers. I said to my men that they had been good soldiers and could be good citizens; that they should go home and obey the laws of the country. And so far as I know, not one soldier who served under me has been molested for any offense since the war.

Question. Were you pardoned?

Answer. I was.

Question. How?

Answer. By President Johnson.

Question. By a special pardon?

Answer. Yes, sir.

Question. When?

Answer. In 1868, probably, immediately after his proclamation. I was then on my plantation in Mississippi, and I felt it to be the duty of every good man to try to restore a good condition of things to the country. I went to Jackson and made my application for a pardon to Governor Sharkey, in order that others might do it.

Question. Did not the general amnesty cover your case?

Answer. I think it did; I never held a political office in my life.

Question. Did you speak with this correspondent about the bad state of things in Tennessee, about Brownlow and his proceedings?

Answer. It is more than likely we did have some conversation about that.

Question. Was the condition of things pretty bad about that time?

Answer. There was great turmoil all over the country.

Question. Excitement running high?

Answer. Yes, sir; on both sides.

Question. You understood that Brownlow by his proclamation had outlawed what he called rebels?

Answer. That is the way the Southern people looked upon it.

Question. Was not there danger of collision about that time?

Answer. Yes, sir, imminent danger; and we came very near having it in many places between the troops and the citizens. I think they did have it at Jackson, and probably one man was killed.

Question. Did you say anything to Mr. Woodward about your regard for the old Government in 1861?

Answer. I do not recollect now what was said. I have said, and have always said, that there was no time during the war that I would not have been willing to have taken up the old flag with the Northern people and fought any other nation, and given the last drop of blood I had. I have said that, and I say it yet.

Question. Did you not tell of your love to the old Government of 1861, and your love to the Constitution?

Answer. I cannot tell.

Question. Those were your sentiments?

Answer. They were, and are yet.

Question. Did you not talk about negro suffrage?

Answer. Well, I do not know whether we did or not.

Question. You were opposed to negro suffrage then, were you not?

Answer. No, sir. My views in regard to this war are probably different from those of most men. I looked upon it as a war upon slavery when it broke out; I so considered it. I said to forty-five colored fellows on my plantation that it was a war upon slavery, and that I was going into the army; that if they would go with me, if we got whipped they would be free anyhow, and that if we succeeded and slavery was perpetuated, if they would act faithfully with me to the end of the war, I would set them free. Eighteen months before the war closed I was satisfied that we were going to be defeated, and I gave these forty-five men, or forty-four men of them, their free papers, for fear I might be killed.

Question. When was that?

Answer. In 1863. When the war closed I looked upon it as an act of Providence, and felt that we ought to submit to it quietly; and I have never done or said anything that was contrary to the laws that have been enacted.

Question. Did you not talk with Woodward about the fact that they were then voting in Tennessee upon the question of enfranchising the whites, removing all disabilities from them?

Answer. I do not think we talked upon that subject; I do not think we had time.

Question. That is the reason you did not talk upon it?

Answer. Yes, sir.

Question. Was not that on your mind at the time?

Answer. Of course; that and everything else connected with the political condition of the country was on my mind at that time.

Question. That was the great question in Tennessee, whether the whites should be enfranchised again?

Answer. Yes, sir.

Question. You were trying to get the negroes to vote for that; I do not mean you individually, but your people.

Answer. I think the object was to get them to vote for it.

Question. You carried it?

Answer. Yes, sir.

Question. Did you not say to Mr. Woodward that if the negroes would vote in favor of enfranchising the white people you would not be in favor of disfranchising them?

Answer. I advocated the fourteenth and fifteenth amendments before the people, and told our people that they were inevitable and should be accepted.

Question. Do you not remember saying to Mr. Woodward that if the negroes would vote to enfranchise the whites you would not be in favor of disfranchising them?

Answer. I do not remember saying it, though I might have said it.

Question. Was not that your feeling?

Answer. Of course it was.

Question. Did you talk with Mr. Woodward about General Grant?

Answer. I think something was said about General Grant, in regard to some abuse heaped upon him at that time, in reference to his taking pianos from Holly Springs. I said I did not believe it; that I had talked with parties in Holly Springs who denied it; that I did not believe General Grant, or any other officer occupying his high position, would be guilty of such conduct.

Question. Did you ever investigate that matter?

Answer. Yes, sir.

Question. Did you say so to Mr. Woodward?

Answer. I did not investigate it thoroughly, but I asked parties who lived in Holly Springs in regard to it, and they contradicted it?

Question. You inquired into it?

Answer. Yes, sir; afterward.

Question. Before you had this conversation with Woodward?

Answer. I reckon it was before that, because I had heard the charges made and did not believe them, and could not believe them.

Question. When this letter of Woodward was published, did it not create some talk and excitement among your friends there?

Answer. Yes, sir; a great deal; not among my friends particularly, but among those of both parties.

Question. I notice that it was published in the Cincinnati Commercial of the 1st of September, 1868.

Answer. Yes, sir.

Question. That was pending the presidential election?

Answer. Yes, sir.

Question. The excitement was running pretty high there?

Answer. Probably not so high there as in other parts of the State.

Question. You had a State question in addition?

Answer. Yes, sir.

Question. It created some talk, did it not, that a man in your position should make such statements, and you conferred with your friends about it?

Answer. Very little.

Question. Did they not come to you and talk about it?

Answer. No, sir; very few people talked with me about it.

Question. How many?

Answer. I cannot tell; I do not think I have had a half a dozen men come to me and talk upon that subject exclusively.

Question. I mean this subject and others.

Answer. I was consulting about political affairs as well as other affairs.

Question. And incidentally they would mention this letter?

Answer. I do not recollect of but very few men who mentioned that letter to me.

Question. You say this letter of explanation is the only one you have made with regard to the charges made against you in newspapers or speeches, making charges against you?

Answer. No, sir; I did not say that.

Question. I understood you so.

Answer. No, sir.

Question. How many have you written in answer to newspaper articles?

Answer. I cannot tell you. I think I wrote one other letter, probably two, making some explanations in regard to Fort Pillow.

Question. You said awhile ago that you did not have twenty words talk with Mr. Woodward; did you mean to be understood in that way?

Answer. I should have said twenty minutes, I reckon; because I sat down on my doorsteps, as I said awhile ago, and sat there a little while, a part of the time vomiting; then I got up and walked to my house, which was about eighty or ninety yards from my office, and he walked with me to the gate. I said that I was too unwell to talk with him, and went up stairs and went to bed. He said he would come there again that evening, but I never saw him.

Question. When you wrote this letter of the 3d of September you were in good health?

Answer. No, sir; I have not been in good health since the war; but I was in my usual health.

Question. You were not then suffering from any headache or pain?

Answer. No, sir.

Question. Did you say that you believed the Ku-Klux was organized only in Middle Tennessee?

Answer. No, sir; I did not say that, I do not think.

Question. Where did you believe it was organized?

Answer. I have no idea where it was organized.

Question. I want your opinion about it, not your knowledge, your impression about it?

Answer. I remarked that I thought it originated in Middle Tennessee.

Question. Where did this thing spring up?

Answer. I do not know.

Question. What is your impression, what place?

Answer. I have no knowledge.

Question. Do you say in Middle Tennessee?

Answer. I think in Middle Tennessee. I have no idea what place, or who started it.

Question. Have you never heard?

Answer. It has been said I organized it; that I started it.

Question. Is that so?

Answer. No, sir; it is not.

Question. You do not know who did?

Answer. I do not know who did it. It was afterward said that it was gotten up at Johnson's Island when there were prisoners there.

Question. Among the rebel prisoners?

Answer. Yes, sir; but nobody knows, I reckon, where it was started. I never heard a man say that he knew who started it; I do not know myself.

Question. You were then living in Memphis?

Answer. Yes, sir.

Question. Did you not know that an organization of it was talked of there and exposed in the papers?

Answer. No, sir.

Question. Did you never hear of that?

Answer. Yes, sir; I heard of it, but it was not an organization.

Question. What was it?

Answer. I understood it was a lot of twelve and fourteen-year old boys who had got it up.

Question. Something like the Ku-Klux organization?

Answer. Yes, sir.

Question. From whom did you understand that?

Answer. From rumor; I was not in Memphis at the time that was talked of, but it was always my impression that it was a farce; that it was a lot of boys.

Question. They seemed to have a constitution?

Answer. I do not think they had; I never heard they did. I knew a part of the boys; they were twelve or fourteen or fifteen years old; that is, I knew boys who, it was said, were caught there that night.

Question. Did not the Ku-Klux admit young boys?

Answer. I think not.

Question. How old did they require them to be?

Answer. I do not know; but I do not think they admitted boys, though.

Question. What is your knowledge on that subject?

Answer. My information was that they admitted no man who was not a gentleman, and a man who could be relied upon to act discreetly; not men who were in the habit of drinking, boisterous men, or men liable to commit error or wrong, or anything of that sort; that is what I understood.

Question. Into what States did you understand that the organization extended?

Answer. It was reported that there was an organization in Mississippi; that was the rumor.

Question. In what other State?

Answer. And it was reported that there was one in North Alabama.

Question. Where else?

Answer. Probably it was reported that it was in North Carolina, about where this man Saunders died, about Asheville; those are the only States I recollect of.

Question. Did you not hear of it in Louisiana?

Answer. No, sir.

Question. Did you hear of the Knights of the White Camelia there?

Answer. Yes; they were reported to be there.

Question. Were you ever a member of that order?

Answer. I was.

Question. You were a member of the Knights of the White Camelia?

Answer. No, sir; I never was a member of the Knights of the White Camelia.

Question. What order was it that you were a member of?

Answer. An order they called the Pale Faces; a different order from that.

Question. Where was that organized?

Answer. I do not know.

Question. Where did you join it?

Answer. In Memphis.

Question. When ?

Answer. It was in 1867 ; but that was a different order from this.

Question. What was that ?

Answer. Something like Odd Fellowship, Masonry, orders of that sort, for the purpose of protecting the weak and defenseless, &c.

Question. Something on the same principles that the Ku-Klux afterward had ?

Answer. Something similar to that, only it was a different order, for the purpose of preventing crime, and for the purpose of protecting each other in case of sickness, or anything—preventing disorder.

Question. By whom ?

Answer. By anybody.

Question. From whom did you apprehend disorder ?

Answer. We apprehended disorder at that time from nearly everybody. There was a great deal of disorder from all political parties.

Question. Particularly from what class ?

Answer. From both classes. There was the greatest bitterness there betwixt the soldiers of the two armies—not particularly so in my neighborhood, but in East Tennessee, and in portions of Middle Tennessee. About Memphis we had no trouble at all ; we never had any trouble at Memphis.

Question. You had this order there ?

Answer. It existed there.

Question. Did it extend over Tennessee ?

Answer. I do not know whether it did or not.

Question. Had that order any constitution ?

Answer. I never saw any, if it had one.

Question. Had it any sort of ritual ?

Answer. No, sir ; I think not.

Question. Had it any limitations as to membership ?

Answer. I cannot tell you that, for I was never in the organization but once or twice. I went there more to see what was going on than anything else, and paid very little attention to it.

Question. Did they admit boys into the order ?

Answer. I do not think they did.

Question. Did they admit negroes ?

Answer. I do not think they did.

Question. Did they admit women ?

Answer. I do not think they did.

Question. It was an organization of white men ?

Answer. I think so.

Question. And from that they called it Pale Faces ?

Answer. Yes, sir.

Question. Had it any signs ?

Answer. I do not recollect any of them.

Question. They had them ?

Answer. I suppose they had.

Question. Did it have any pass-words ?

Answer. I do not recollect whether it did or not ; I never was in it but twice.

Question. Did it have any grips ?

Answer. I do not think so.

Question. Did you take any oath ?

Answer. No, sir.

Question. Was it a secret organization ?

Answer. I suppose it was. I was invited around there once or twice, and they supposed I was all right and would not divulge anything.

Question. Who invited you ?

Answer. Some of the members.

Question. Who were they ?

Answer. I cannot tell you now.

Question. Why not ?

Answer. I do not recollect.

Question. How many were there ?

Answer. I do not think there were more than one or two.

Question. How many were present ?

Answer. I do not recollect.

Question. About how many ?

Answer. I have no idea.

Question. Were there forty or fifty ?

Answer. I do not think there were more than a dozen when I was there.

Question. Where did they meet ?

Answer. In a hall or a room.

Question. In Memphis?

Answer. Yes, sir.

Question. Where in Memphis?

Answer. I believe it was on Second street.

Question. In whose building?

Answer. Well, I do not recollect that now.

Question. Do you remember who were present?

Answer. No, sir.

Question. You do not remember any of them?

Answer. I do not remember.

Question. You do not remember the name of one of them?

Answer. No, sir; I might, if I had time to think the matter over, recollect these things. In the last two years I have been very busily engaged. I came out of the war pretty well wrecked. I was in the army four years; was on the front all the time, and was in the saddle more than half my time; and when I came out of the army I was completely used up—shot all to pieces, crippled up, and found myself and my family entirely dependent. I went into the army worth a million and a half of dollars, and came out a beggar. I have given all my time since then, so far as was in my power, to try to recover.

Question. About this order of Pale Faces; you understand that to be a secret order?

Answer. Yes, sir; just as Odd Fellowship and Masonry would be, and I presume the Loyal League was.

Question. So when I asked you if you belonged to the Knights of the White Camelia, and you said you did, you at first thought I was referring to the Pale Faces?

Answer. Yes, sir.

Question. The principles were about the same?

Answer. I do not know what the White Camelia's were.

Question. It professed to be an order for the protection of white people against disorders, particularly by the blacks.

Answer. The great fear of the people at that time was that they would be dragged into a revolution something like San Domingo.

Question. A war of races?

Answer. Yes; a war of races. The object of the people was not to disobey the laws of the country, but to see them enforced and to fortify themselves against anything of the sort. That was my understanding of all these things.

Question. Of all these orders, Ku-Klux, Pale Faces, Knights of the White Camelia?

Answer. No, sir; I do not know anything about the Knights of the White Camelia; I never heard of them before. The object of the organization was to prevent a general slaughter of women and children, and to prepare themselves to resist anything of the kind.

Question. Was not that same apprehension broadcast all over the South, so far as your being in fear of a negro insurrection or a war of races?

Answer. I think it was. During the war our servants remained with us, and behaved very well. When the war was over our servants began to mix with the republicans, and they broke off from the Southern people, and were sulky and insolent. There was a general fear throughout the country that there would be an uprising, and that with those men who had stopped among us—those men who came in among us, came there and went to our kitchens and consulted with the negroes—many of them never came about the houses at all. It was different with me. I carried seven Federal officers home with me, after the war was over, and I rented them plantations, some of my own lands, and some of my neighbors'. In 1866 those seven officers made a crop in my neighborhood. I assisted those men, and found great relief from them. They got me my hands, and they kept my hands engaged for me.

Question. The negroes had confidence in them because they were Northern men?

Answer. Yes, sir. I persuaded our people to pursue the same course. These men were all young men, and they made my house their home on Sundays.

Question. It seems you had more confidence in Northern men than others down there had?

Answer. I think I had.

Question. You say there was a general feeling all through the South, at least there was in Tennessee, of apprehension of general trouble with the negroes, out of which grew this organization?

Answer. That was the cause of it.

Question. Is it not your impression that this organization and that same feeling extended generally through the South?

Answer. I cannot say; I never heard of that.

Question. What is your impression?

Answer. My impression is that it did not.

Question. Would not the same cause produce like effects?

Answer. I think it would; but I do not think they existed throughout the South.

Question. Simply because you have not heard of them ?

Answer. Yes, sir.

Question. Did you hear of them in Arkansas ?

Answer. I cannot say I did. They had a terrible difficulty in Arkansas there ; the militia was brought out and hung a great many men.

Question. I am not speaking of those troubles. But did you not hear of the existence of Ku-Klux, or something of that kind, in Arkansas ?

Answer. It was reported that they were on White River ; that is the only place I heard of them.

Question. On the Upper White River ?

Answer. In Arkansas.

Question. Was it on the Upper White River ?

Answer. I do not know whether it was the Upper or the Lower White River ; I think it was about the middle ; I think about Circe, Arkansas.

Question. Did you not hear of troubles in Louisiana—massacres, bloodshed there, conflicts of the races ?

Answer. We frequently heard of them in different places.

Question. Was there nothing said about Ku-Klux, or Knights of the White Camelia, in connection with that ?

Answer. I never heard anything of it.

Question. Your business led you East ?

Answer. Immediately after the war, in 1866, I planted.

Question. I am speaking more particularly of 1868.

Answer. In 1867 I was in the insurance business, as president of a fire-insurance company, and I organized a life-insurance company. My business was principally in Tennessee and Alabama, but my health became so bad that I could not travel, and remained at home. In 1868 I went into this railroad business, and since the fall of 1868 my whole time has been occupied in that.

Question. And your railroad business leads you East ?

Answer. Southeast, in the direction of Selma, Alabama.

Question. So that you would not be so likely to hear of what took place west of the Mississippi ?

Answer. Of course I would have heard ; I suppose it is published in the papers.

Question. Have you heard of anything of this sort in Texas ?

Answer. I do not think I have ; I have heard of some difficulties there among the republicans, radicals as we call them, and scalawags, what we called renegades, Southern men who joined the federal army ; they had difficulty all over the country.

Question. Do you call everybody who was in the rebel army and afterwards joined the republicans—do you call them scalawags ?

Answer. Yes, sir, generally.

Question. And the people from the North who go down there are called carpet-baggers ?

Answer. They are distinguished in that way ; they are not all called carpet-baggers.

Question. Why not ?

Answer. There is a difference betwixt them. Some men go down there and go to planting, and do not have anything to do with politics ; behave themselves, and do not mix with the negroes more than white people. They are looked upon as a different class of people.

Question. They are not called carpet-baggers.

Answer. I do not know that they are called anything except Southern citizens. I know some men who stand as fair in Mississippi, Tennessee, and Alabama as anybody we have there.

Question. Men who go there, spend money, attend to business, and keep out of politics. *Answer.* I suppose they vote ; but then they are not running all over the country holding Loyal Leagues and negro meetings.

Question. Making stump speeches ?

Answer. Yes, sir ; but they are quiet people, attending to their business as most other people do.

Question. What do you call Southern gentlemen who go about the country making democratic speeches, organizing the democratic party, and getting it into line ?

Answer. They are called democrats, I reckon.

By the CHAIRMAN :

Question. Suppose one of that class of whom you have been speaking who has gone down there and attended to planting, but has been quiet politically, although he is a republican, suppose he should take the stump and go to making political speeches, would that change the current of opinion against him ?

Answer. Very much. I do not mean if he was a gentleman, and took the stump and made a canvass like other gentlemen did ; he would not be looked upon just as those who go around with the negroes, and board and sleep with the negroes.

Question. Suppose he asserts publicly on the stump the political opinions he entertains, in a proper manner, would he be visited with any reprobation or ostracism for taking that position?

Answer. I think not; I never heard of one that was.

Question. Take General Warner, of Alabama; I understand that he went down there and went to planting.

Answer. I do not know him; I never saw him but once in my life; he was introduced to me in Montgomery. I would suppose that if General Warner was to behave himself and act as I have said, I am satisfied he would be treated as I have indicated.

By Mr. STEVENSON:

Question. Now to go back to this talk with Mr. Woodward; did you not tell him that you believed there were forty thousand Ku-Klux in Tennessee?

Answer. I did not, most emphatically; I told him no such thing, because I did not know how many there were.

Question. Did you not tell him that it was reported and that you believed there were forty thousand of them in Tennessee?

Answer. I told him it was reported so.

Question. And did you not tell him that you believed so?

Answer. No, sir.

Question. Did you not believe it?

Answer. I did not, for I had no more idea than you had how many there were there.

Question. Did you tell him that it was reported that there were forty thousand in Tennessee, and you believed it, and that they were stronger in other Southern States?

Answer. I did not. I told him it was reported—I may probably have said that to him—that there were forty thousand in Tennessee. It was reported so, and your papers stated it.

Question. And you thought it was false?

Answer. No; I did not say I thought so.

Question. Did you think so?

Answer. I did not know; I did not form any opinion about it, because I had no way of forming an opinion; I had no accurate knowledge about the fact.

Question. Before you wrote this letter of yours did you ascertain that fact?

Answer. No, sir, I did not.

Question. Did you change your belief?

Answer. No, sir; I did not; that communication did not change me at all.

Question. Between the time you talked to Mr. Woodward and the time you wrote this letter you did not change your belief?

Answer. No, sir; so far as numbers, position, conduct, and condition of the country was concerned, I made no change, because it was only a few days, and I had no opportunity to do so. I have a copy of a letter here, one of hundreds that I wrote. When I started away, my secretary, who was then the secretary of my company, brought it to me, with his affidavit that it was a true copy. I wrote a great many letters; my right shoulder was shot all to pieces and I write very badly, and he does all the copying. I have that letter with me; it was written in 1868, and the committee can have the use of it if they wish.

By the CHAIRMAN:

Question. Do you desire to have it incorporated into your testimony?

Answer. I certainly do, as showing my feelings at that time. The affidavit and letter are as follows:

“STATE OF TENNESSEE, *City of Memphis*:

“Before me, J. P. Boughner, a notary public for Shelby County, this day personally appeared Walter A. Goodman, to me well known, who being first duly sworn deposeth and says: On the 28th of August, 1868, General N. B. Forrest wrote a letter to J. T. Brown in reply to a letter received from him. At General Forrest's request I made a copy of his letter and now file that copy as a part of this affidavit. To identify the copy I have marked it “Exhibit A” and have written my name upon it. The copy hereto attached is a literal copy of the original letter, which was mailed on the day of its date. During the greater part of the year 1868 and a part of 1869, I occupied the same office with General Forrest and was on intimate terms with him. During that time I saw many letters received and written by him, and heard many conversations held by him with different persons, in regard to matters of public and political interest, and on all occasions he uniformly opposed and discountenanced all acts of violence or disorder, and counseled moderation, quiet and obedience to the laws.

“W. A. GOODMAN.

“Sworn and subscribed to before me this 17th day of June, 1871.

[SEAL.]

“J. P. BOUGHNER,

“Notary Public.”

"MEMPHIS, August 23, 1868.

"DEAR SIR: Your favor of the 26th instant has been received. While I sympathize with your desire to bring those who were guilty of murdering your brother to justice, and would willingly do anything in my power to aid you in this, I cannot consent to become a party, either directly or indirectly, to any act of violence, or to the infringement of any law. On the contrary, all my efforts have been, and shall be, exerted to preserve peace and order, and to maintain the law as far as possible.

"It is especially incumbent upon all good men at this time to keep the peace. Every act of violence, no matter by whom or for what cause committed, works an injury not only to the persons engaged in it, but to the community in which it occurs, and through it to the whole South. Our enemies gladly seize upon such acts as the pretexts for further oppressions, and hence it becomes, more than ever before, the duty of every man to refrain from them, no matter how great the provocation he may have received. I beg, and insist therefore, that you abandon the purpose you indicate, and hope that no one will be so unwise as to aid you in carrying it out.

"You will excuse me, I hope, for saying that it was very imprudent to send your letter by mail. If it had fallen into the hands of others it might, without some explanations, have caused some trouble to both of us.

"Hoping that you may receive what I have said in the same spirit in which it is written, I am, your obedient servant,

"N. B. FORREST.

"J. T. BROWN, Esq., *Humboldt, Tennessee.*

"Original of above mailed August 29, 1868.

"W. A. GOODMAN.

"Exhibit A to affidavit of W. A. Goodman."

By the CHAIRMAN:

Question. What was the proposition made in his letter?

Answer. His brother had been killed by some Union men, and he wanted to try and get revenge, and he wrote to me to assist him.

Question. Did he propose to do it by organizing a party for that purpose?

Answer. I do not know that he did. He was an old soldier, and his brother had been murdered, and he wrote to me.

Question. Have you the letter in answer to which this letter of yours was written?

Answer. No, sir, I burned his letter.

By Mr. COBURN:

Question. You have said that you were at that time receiving from fifty to a hundred letters a day relating to matters in the South. Have you any of those letters now?

Answer. No, sir.

Question. Who was your secretary at that time?

Answer. A young man by the name of Lindsay.

Question. What is his given name?

Answer. I am not able to tell you now.

Question. Is he in Memphis?

Answer. No, sir.

Question. Where is he?

Answer. I do not know where he is. He was a telegraph operator. I have not seen him in eighteen months; perhaps I can ascertain his name.

Question. You say you suppressed the Ku-Klan-Klan. How did you do it? By writing letters?

Answer. I wrote a great many letters to people, and counseled them to abstain from all violence, and to be quiet and behave themselves, and let these things take their course.

Question. Did you get any answers to your letters?

Answer. To some of them I did.

Question. What did you do with them?

Answer. Perhaps I have some of those; but most of the other letters I burned up, for I did not want to get them into trouble; I supposed they were excited at the time; there was a great deal of excitement in 1866 and 1867, immediately after the war.

By the CHAIRMAN:

Question. Were all of these people personal acquaintances who wrote to you?

Answer. A great many of them I never saw.

Question. How came they to write to you?

Answer. I do not know; I suppose they thought I was a man who would do to counsel with.

By Mr. VAN TRUMP:

Question. They of course knew your history, as having been a prominent man in the confederate army?

Answer. Yes, sir; I was rather a prominent man in the confederate army; I probably fought more battles than any other man in it; I was before the people probably more than any other man that was in it.

By Mr. STEVENSON:

Question. Look at this [handing witness a printed document] and say if it is a copy of the prescript that you received.

Answer. [After looking at the document.] I cannot say to you whether it is or not.

Question. Is it like it in general terms?

Answer. It looks something like it.

Question. To the best of your belief is that or not a copy of the prescript you received?

Answer. It looks very much like it; I would not say from memory that it is a true copy of it.

Question. This is proved to have come from Tennessee, and purports to be a prescript of a secret order there; and to the best of your belief this is a copy of the one you received?

Answer. I see there are some things in it, while I cannot say it is verbatim; it looks a great deal like it. I have not seen one of them since 1868.

Question. If you want to examine it further you can do so.

Answer. I do not think that is necessary; I would not be able to say positively that it is or is not.

Question. It looks like it?

Answer. Yes, sir.

Question. Do you think this differs from the other in any respect?

Answer. I think there are several things if I could recollect them; but I do not know that I can explain them now.

Question. If you see any important difference you can state it.

Answer. [After examining the document again.] This is not what I saw.

Question. It has a general resemblance to it?

Answer. Something similar, but this is not what I saw.

Question. You think you saw something additional to this?

Answer. Something different; I do not know that it was additional, because I do not think I ever saw this before.

Question. Did you ever see anything like it?

Answer. It was gotten up something on this plan, but I do not think it was this; I could not say this was the same.

Question. Something on this general plan?

Answer. Yes, sir.

Question. Were the same terms used?

Answer. No, sir, I do not think they were.

Question. None of them?

Answer. There may have been some of them used; but I do not think the other used all these terms.

Question. What were the terms used in the other differing from those used in this?

Answer. As I said to you to-day, I could not tell; it was two or three years ago; I have been very busily engaged; it was a matter that gave me but very little thought at the time, and of course I did not charge my memory with it, for I was engaged in other matters.

Question. Do you think you would know the prescript now if you saw it?

Answer. I doubt it; I doubt whether I would know it if I should see it.

Mr. STEVENSON. I ask that this document be attached to the testimony of this witness. It will be found in Miscellaneous Document No. 53, second session Forty-first Congress, House of Representatives; being one of the papers in the contested election case of Sheafe vs. Tillman, from the fourth congressional district of Tennessee. (See page 35 of this testimony.)

By Mr. COBURN:

Question. You have said something about a war of races being apprehended. Had you any more reason to apprehend a war of races after the rebellion was over than during the rebellion?

Answer. A great deal more.

Question. Why was that?

Answer. For the reason that during the war the negroes remained at home working and were quiet, and were not organized. After the war, they left their homes, traveled all over the country, killed all the stock there was in the country to eat, were holding these night meetings, were carrying arms, and were making threats.

Question. Is not the negro naturally submissive and quiet?

Answer. Generally so.

Question. Were they suffering from the hands of the white men as many wrongs after the war as before and during the war?

Answer. I think more; I do not think they were suffering any during the war.

Question. What wrongs?

Answer. They were dissatisfied and disposed to fight and be abusive. They would kill stock, and when arrested large crowds of them would gather around the magistrates' offices, and threaten to take them away, and they did in several instances; and they had fights.

Question. You say there was a general apprehension throughout the whole country that there would be a war of races?

Answer. I think so; there was great fear.

Question. What class of men organized to prevent this war of races; were they rowdies and rough men?

Answer. No, sir; worthy men who belonged to the southern army; the others were not to be trusted; they would not fight when the war was on them, and of course they would not do anything when it was over.

Question. Do you think that had any effect throughout the South to prevent a war of races?

Answer. I think the organizing of these men, and showing a disposition that we were prepared to resist it, prevented it.

Question. You think the negroes understood that to be the fact, that there was an organization throughout the South of that kind?

Answer. I think so.

Question. And hence they behaved themselves better?

Answer. I think so; I know one man in Maury County told me that he had lost nearly everything that he had; that the pike that passed his house used to be lined from dark till daylight with negroes traveling forward; that these men traveled up the road one night, about twenty of them, in disguise; that it had been a month since those men had passed up the road, and he had not seen a negro there at night since then.

Question. Were there no lawless white men who went around robbing?

Answer. I think so, and on the negroes' credit, too.

Question. By what means did these "Pale Faces" expect to prevent these disorders?

Answer. By organizing themselves and holding themselves in readiness to resist anything of that sort that did occur.

Question. By what means?

Answer. Of course they had but one way to resist; they did not expect any assistance from the government of the State of Tennessee.

Question. Prevent it by punishing the offenders?

Answer. And defending themselves.

Question. Suppose an outrage was committed and they caught the offender, what would they do?

Answer. There was more or less mob law about that time through the Southern States.

Question. The object was to resist outlawry and punish offenders?

Answer. Yes, sir; I do not think the people intended to go and violate or wrong any one; but it was to punish those men who were guilty, and who the law would not touch; and to defend themselves in case of an attack.

Question. What reason have you to believe that they have disbanded?

Answer. From the fact that I do not hear anything of them, and it was generally understood that they were to be disbanded; it was generally understood throughout the country I have been in that they have disbanded, that there was no organization, and nothing in that line, except amongst lawless men—men who were trying to do something they ought not to do, to violate the law.

By the CHAIRMAN:

Question. You desired time to consider whether you would give us the names of those persons whose names were asked of you?

Answer. I cannot give you the names of those people; I do not recollect them.

Question. You gave the name of one man who was dead; another who was also dead you did not give the name of?

Answer. Two of these men have gone out of the country; they are not in the country now.

Question. Who are they?

Answer. One was named Jones.

Question. What was his first name?

Answer. He has gone to Brazil, and has been there for two or three years.

Question. What was the name of the other?

Answer. I am trying to think who he was; I cannot call his name to mind now.

Question. Are those all the names you wish to give or can give?

Answer. I might give you more names if I had time to think about the thing. Of course I have not had time to think this thing over since we spoke about it a while ago, for I have been interrogated all the time busily.

Mr. STEVENSON. I should like to have it understood that this witness will give us these names as soon as he can remember them. If he cannot remember them in time to appear before the committee and give them, then that he will send in writing to the chairman a list of such names as he may hereafter remember.

The CHAIRMAN. That will be very desirable.

The WITNESS. I am disposed to do all I can to try and fetch these troubles to an end. I went into the army as a private, and fought my way up to the rank of lieutenant general. I tried to do my duty as a soldier, and since I have been out of the war I have tried to do my duty as a citizen. I have done more probably than any other man in the South to suppress these difficulties and keep them down. While I have been vilified and abused in the papers, and accused of things I never did while in the army and since, I have no desire to hide anything from you at all. I want this matter settled; I want our country quiet once more; and I want to see our people united and working together harmoniously.

By the CHAIRMAN:

Question. So far as this secret organization is concerned, the purpose of this committee is not merely to ascertain who are members of it for the purpose of prosecuting them for crime, but to ascertain whether it continues to exist, and who are responsible for the present commission of crimes of this character, wherever they occur in the Southern States.

Answer. I am satisfied, from my knowledge of the affair, that no such organization does exist; that it was broken up in 1868, and never has existed since that time as an organization.

Question. Do you mean that to apply to all the late insurrectionary States?

Answer. I mean that to apply to this organization of the Ku-Klux Klan.

Question. In Tennessee?

Answer. Yes, sir.

Question. And Alabama and Mississippi, North Carolina and South Carolina?

Answer. So far as I know; that was the understanding, that it was to be broken up wherever it existed, and to be no longer countenanced.

Question. Can you say that other men who were in the organization, and who felt differently from you, have not kept it alive for political purposes?

Answer. I do not think it has been done as an organization; I think all this that has been done in the course of eighteen months has been done by parties who are not responsible to anybody.

Question. Were those who were in the organization, which you say you believe has been disbanded, principally men who had been soldiers in the confederate army?

Answer. I think they were.

Question. Almost entirely?

Answer. Yes, sir.

By Mr. STEVENSON:

Question. You say they were men of character and position?

Answer. Well, they were men who it was thought would behave themselves, and act friendly, and do discreetly.

Question. Not rash, wild men?

Answer. No, sir. The object of the organization was to keep out everything of that sort, and to prevent difficulty as far as it could.

Question. So far as you know, it was composed of the best class of southern citizens?

Answer. I do not know whether you might term them the best class or not.

Question. Let us have your understanding of it; were they men of substance and property?

Answer. My understanding is that those men who were in the organization were young men mostly; men who had been in the southern army, and men who could be relied upon in case of a difficulty—of an attack from the negroes—who could be relied upon to defend the women and children of the country.

Question. Were they men of sufficient substance and means to go about from one place to another?

Answer. Well, they were in the habit, about the close of the war, of going almost everywhere and anywhere without much assistance. We traveled about very freely sometimes during the war; this was immediately after the war.

Question. Let me understand; suppose that, when the organization was in full working order, a conflict should have occurred, for instance, at Memphis, between the whites and blacks. The blacks outnumbered you there, did they not?

Answer. Yes, sir.

Question. And in all that river valley?

Answer. Yes, sir.

Question. Suppose a conflict had occurred there, was the organization composed of such men that they could have come from other parts to assist the whites in that region?

Answer. In a case like that they would have come, from the fact that they would have gathered up everything available in the way of transportation.

Question. From where would they have come?

Answer. From the country wherever they heard of it.

Question. As many as were needed?

Answer. Yes, sir. I will mention one case that occurred in 1868. At Crawfordsville, on the Mobile and Ohio Railroad, the citizens and negroes had a difficulty, and the negroes threatened to burn the town. It was telegraphed up to West Point, forty miles above there, and to Columbus also. I was then on my way to Memphis. When I got to the Mobile road I found these men had got all the trains they could and started down, and I went with them. The negroes were about eight hundred strong, and were out at the edge of the town; the people of the town had fortified themselves; the negroes had burned one house. When I got there I got the white people together, organized them, and made speeches to them. I told them to be quiet, and we would see if this could be settled. I then got on a horse and rode over to the negroes and made a speech to them. The negroes dispersed and went home, and nothing was done; there was nobody hurt, nobody molested. But they were just on the point where it was liable that fifty or five hundred men would be killed. Those negroes had fallen out with a young man who was going down the road; his horse had got scared when they came along, had kicked out a little, and run against their trumpeter and knocked him down. They followed him into town to beat him, and then they gathered together. I am satisfied I prevented bloodshed there by getting those men together and talking to them, and by talking to the negroes, and getting them to go home.

Question. What do you suppose would have happened if you had not taken the course you did?

Answer. There would have been a general fight.

Question. Suppose the negroes had succeeded and whipped the whites?

Answer. The whites would have called in more help. You would have gone, I reckon, if you had been there. I do not suppose there is a white man that would not take sides against the blacks, and with his own race.

Question. Men at a great distance would not know which side was to blame, would they?

Answer. But in the case of a fight like that—

By Mr. VAN TRUMP:

Question. In the event of a war of races down there, do you not think the excitement would reach North?

Answer. I think it would. I think we would find a great many people up here who would go down there and help us if we had the worst of it.

By Mr. STEVENSON:

Question. Might they not stop to inquire who was right and who was wrong?

Answer. I think they might.

Question. Those people did not, in that case?

Answer. They had not done anything; we were going there to protect the people. They did not fire a gun.

Question. Had they organized?

Answer. Both had organized; the negroes had organized, and the white people had organized. They went there with their arms, but they went there after these people at Crawfordsville had telegraphed that they were about to be attacked by an overwhelming force of armed negroes.

Question. You say you think the people North would join with you in such a war as that?

Answer. I did not say that.

Question. Do you or not think that the people of the North would join in it?

Answer. I do not know whether they would or not; but I think their sympathies would be with their own people.

Question. Suppose the whites of the South were getting the worst of it?

Answer. I think if the people of the North have the same feelings that the people of the South have, they would assist them. That is all owing to what is the feeling here; whether they have the same sympathy with the white people, one with another, that they do in the Southern States.

Question. You think they have?

Answer. I have no reason to believe that they have not.

Question. What is your belief as to whether any of these orders extended into the Northern States; those "Pale Faces," or anything of that sort?

Answer. I never knew anything of that sort. I understood you had similar orders here in the North; that is, you had the Grand Army of the Republic and other organizations here similar to that.

Question. Similar to such as you had down there?

Answer. Yes, sir.

Question. From whom did you understand that?

Answer. From rumor; nothing else.

Question. Did you get any letters from the North in your correspondence?

Answer. I got letters from northern citizens urging me to try and keep things quiet, and let it work itself off.

Question. All seemed to look to you?

Answer. No, sir; not particularly so. I suppose they looked to other men as well as to me.

Question. Did you ever hear of anybody else having such correspondence?

Answer. I understood that a great many of our southern men corresponded with their friends in the North, and that was the advice of the northern people generally, to try and keep this thing down.

Question. I did not understand you to say whether you would send us those names by mail or not.

Answer. I did not say whether I would or not.

By the CHAIRMAN:

Question. Did you say you got advice from northern people in 1868 to have the Ku-Klux society suppressed?

Answer. No, not the Ku-Klux; I do not want to be understood that way. I got letters from persons in the Northern States whom I knew, giving it as their opinion that we should try and restrain everybody there from difficulty and violence, to let this thing blow over, work itself off in that way.

[See page 6.]

(*Special correspondence, Cincinnati Commercial.*)

MEMPHIS, TENN., August 28, 1868.

To-day I have enjoyed "big talks" enough to have gratified any of the famous Indian chiefs who have been treating with General Sherman for the past two years. First I met General N. B. Forrest, then General Gideon A. Pillow, and Governor Isham G. Harris. My first visit was to General Forrest, whom I found at his office, at 8 o'clock this morning, hard at work, although complaining of an illness contracted at the New York convention. The New Yorkers must be a bad set indeed, for I have not met a single delegate from the Southern States who has not been ill ever since he went there. But to General Forrest. Now that the southern people have elevated him to the position of their great leader and oracle, it may not be amiss to preface my conversation with him with a brief sketch of the gentleman.

I cannot better personally describe him than by borrowing the language of one of his biographers. "In person he is six feet one inch and a half in height, with broad shoulders, a full chest, and symmetrical, muscular limbs; erect in carriage, and weighs one hundred and eighty-five pounds; dark-gray eyes, dark hair, mustache, and beard worn upon the chin; a set of regular white teeth, and clearly cut features;" which, altogether, make him rather a handsome man for one forty-seven years of age.

Previous to the war—in 1852—he left the business of planter, and came to this city and engaged in the business of "negro-trader," in which traffic he seems to have been quite successful, for, by 1861, he had become the owner of two plantations a few miles below here, in Mississippi, on which he produced about a thousand bales of cotton each year, in the mean time carrying on the negro-trading. In June, 1861, he was authorized by Governor Harris to recruit a regiment of cavalry for the war, which he did, and which was the nucleus around which he gathered the army which he commanded as a lieutenant general at the end of the war.

After being seated in his office, I said:

"General Forrest, I came especially to learn your views in regard to the condition of your civil and political affairs in the State of Tennessee, and the South generally. I desire them for publication in the *Cincinnati Commercial*. I do not wish to misinterpret you in the slightest degree, and therefore only ask for such views as you are willing I should publish."

"I have not now," he replied, "and never have had, any opinion on any public or political subject which I would object to having published. I mean what I say, honestly and earnestly, and only object to being misrepresented. I dislike to be placed before the country in a false position, especially as I have not sought the reputation which I have gained."

I replied : " Sir, I will publish only what you say, and then you cannot possibly be misrepresented. Our people desire to know your feelings toward the General Government, the State government of Tennessee, the radical party, both in and out of the State, and upon the question of negro suffrage."

" Well, sir," said he, " when I surrendered my seven thousand men in 1865, I accepted a parole honestly, and have observed it faithfully up to to-day. I have counseled peace in all the speeches I have made. I have advised my people to submit to the laws of the State, oppressive as they are, and unconstitutional as I believe them to be. I was paroled and not pardoned until the issuance of the last proclamation of general amnesty ; and, therefore, did not think it prudent for me to take any active part until the oppression of my people became so great that they could not endure it, and then I would be with them. My friends thought differently, and sent me to New York, and I am glad I went there."

" Then, I suppose, general, that you think the oppression has become so great that your people should not longer bear it."

" No," he answered, " it is growing worse hourly, yet I have said to the people, ' Stand fast, let us try to right the wrong by legislation.' A few weeks ago I was called to Nashville to counsel with other gentlemen who had been prominently identified with the cause of the confederacy, and we then offered pledges which we thought would be satisfactory to Mr. Brownlow and his legislature, and we told them that, if they would not call out the militia, we would agree to preserve order and see that the laws were enforced. The legislative committee certainly led me to believe that our proposition would be accepted and no militia organized. Believing this, I came home, and advised all of my people to remain peaceful, and to offer no resistance to any reasonable law. It is true that I never have recognized the present government in Tennessee as having any legal existence, yet I was willing to submit to it for a time, with the hope that the wrongs might be righted peaceably."

" What are your feelings toward the Federal Government, general?"

" I loved the old Government in 1861 ; I love the old Constitution yet. I think it the best government in the world if administered as it was before the war. I do not hate it ; I am opposing now only the radical revolutionists who are trying to destroy it. I believe that party to be composed, as I know it is in Tennessee, of the worst men on God's earth—men who would hesitate at no crime, and who have only one object in view, to enrich themselves."

" In the event of Governor Brownlow's calling out the militia, do you think there will be any resistance offered to their acts?" I asked.

" That will depend upon circumstances. If the militia are simply called out, and do not interfere with or molest any one, I do not think there will be any fight. If, on the contrary, they do what I believe they will do, commit outrages, or even one outrage, upon the people, they and Mr. Brownlow's government will be swept out of existence ; not a radical will be left alive. If the militia are called out, we cannot but look upon it as a declaration of war, because Mr. Brownlow has already issued his proclamation directing them to shoot down the Ku-Klux wherever they find them ; and he calls all southern men Ku-Klux."

" Why, general, we people up north have regarded the Ku-Klux Klan as an organization which existed only in the frightened imaginations of a few politicians?"

" Well, sir, there is such an organization, not only in Tennessee but all over the South, and its numbers have not been exaggerated."

" What are its numbers, general?"

" In Tennessee there are over forty thousand ; in all the Southern States about five hundred and fifty thousand men."

" What is the character of the organization, may I inquire?"

" Yes, sir. It is a protective, political, military organization. I am willing to show any man the constitution of the society. The members are sworn to recognize the Government of the United States. It does not say anything at all about the government of the State of Tennessee. Its objects originally were protection against Loyal Leagues and the Grand Army of the Republic ; but after it became general it was found that political matters and interests could best be promoted within it, and it was then made a political organization, giving its support, of course, to the democratic party."

" But is the organization connected throughout the State?"

" Yes ; it is. In each voting precinct there is a captain, who, in addition to his other duties, is required to make out a list of names of men in his precinct, giving all the radicals and all the democrats who are positively known, and showing also the doubtful on both sides and of both colors. This list of names is forwarded to the grand commander of the State, who is thus enabled to know who are our friends and who are not."

" Can you, or are you at liberty, to give me the name of the commanding officer of this State?"

" No ; it would be impolitic."

"Then I suppose that there can be no doubt of a conflict if the militia interfere with the people; is that your view?"

"Yes, sir; if they attempt to carry out Governor Brownlow's proclamation, by shooting down Ku-Klux—for he calls all southern men Ku-Klux—if they go to hunting down and shooting these men, there will be war, and a bloodier one than we have ever witnessed. I have told these radicals here what they might expect in such an event. I have no powder to burn killing negroes. I intend to kill the radicals. I have told them this and more. There is not a radical leader in this town but is a marked man; and if a trouble should break out, not one of them would be left alive. I have told them that they were trying to create a disturbance and then slip out and leave the consequences to fall upon the negro; but they can't do it. Their houses are picketed, and when the fight comes not one of them would ever get out of this town alive. We don't intend they shall ever get out of the country. But I want it distinctly understood that I am opposed to any war, and will only fight in self-defense. If the militia attack us, we will resist to the last; and, if necessary, I think I could raise 40,000 men in five days ready for the field."

"Do you think, general, that the Ku-Klux have been of any benefit to the State?"

"No doubt of it. Since its organization the leagues have quit killing and murdering our people. There were some foolish young men who put masks on their faces and rode over the country frightening negroes; but orders have been issued to stop that, and it has ceased. You may say further that three members of the Ku-Klux have been court-martialed and shot for violations of the orders not to disturb or molest people."

"Are you a member of the Ku-Klux, general?"

"I am not; but am in sympathy and will coöperate with them. I know they are charged with many crimes that they are not guilty of. A case in point is the killing of Bierfield at Franklin, a few days ago. I sent a man up there especially to investigate the case, and report to me, and I have his letter here now, in which he states that they had nothing to do with it as an organization."

"What do you think of negro suffrage?"

"I am opposed to it under any and all circumstances, and in our convention urged our party not to commit themselves at all upon the subject. If the negroes vote to enfranchise us, I do not think I would favor their disfranchisement. We will stand by those who help us. And here I want you to understand distinctly I am not an enemy to the negro. We want him here among us; he is the only laboring class we have; and, more than that, I would sooner trust him than the white scalawag or carpet-bagger. When I entered the army I took forty-seven negroes into the army with me, and forty-five of them were surrendered with me. I said to them at the start: 'This fight is against slavery; if we lose it, you will be made free; if we whip the fight, and you stay with me and be good boys, I will set you free; in either case you will be free.' These boys staid with me, drove my teams, and better confederates did not live."

"Do you think the Ku-Klux will try to intimidate the negroes at the election?"

"I do not think they will. Why, I made a speech at Brownsville the other day, and while there a lieutenant who served with me came to me and informed me that a band of radicals had been going through the country claiming to be Ku-Klux, and disarming the negroes, and then selling their arms. I told him to have the matter investigated, and, if true, to have the parties arrested."

"What do you think is the effect of the amnesty granted to your people?"

"I believe that the amnesty restored all the rights to the people, full and complete. I do not think the Federal Government has the right to disfranchise any man, but I believe that the legislatures of the States have. The objection I have to the disfranchisement in Tennessee is, that the legislature which enacted the law had no constitutional existence, and the law in itself is a nullity. Still I would respect it until changed by law. But there is a limit beyond which men cannot be driven, and I am ready to die sooner than sacrifice my honor. This thing must have an end, and it is now about time for that end to come."

"What do you think of General Grant?" I asked.

"I regard him as a great military commander, a good man, honest and liberal, and if elected will, I hope and believe, execute the laws honestly and faithfully. And by the way, a report has been published in some of the newspapers, stating that while General Grant and lady were at Corinth, in 1862, they took and carried off furniture and other property. I here brand the author as a liar. I was at Corinth only a short time ago, and I personally investigated the whole matter, talked with the people with whom he and his lady lived while there, and they say that their conduct was everything that could have been expected of a gentleman and lady, and deserving the highest praise. I am opposed to General Grant in everything, but I would do him justice."

The foregoing is the principal part of my conversation with the general. I give the conversation, and leave the reader to form his own opinion as to what General Forrest means to do. I think he has been so plain in his talk that it cannot be misunderstood.

MEMPHIS, September 3, 1868.

DEAR SIR: I have just read your letter in the Commercial, giving a report of our conversation on Friday last. I do not think you would intentionally misrepresent me, but you have done so, and, I suppose, because you mistook my meaning. The portions of your letter to which I object are corrected in the following paragraphs:

I promise the legislature my personal influence and aid in maintaining order and enforcing the laws. I have never advised the people to resist any law, but to submit to the laws, until they can be corrected by lawful legislation.

I said the militia bill would occasion no trouble, unless they violated the law by carrying out the governor's proclamation, which I believe to be unconstitutional and in violence of law, in shooting men down without trial, as recommended by that proclamation.

I said it was reported, and I believed the report, that there are forty thousand Ku-Klux in Tennessee; and I believe the organization stronger in other States. I meant to imply, when I said that the Ku-Klux recognize the Federal Government, that they would obey all State laws. They recognize all laws, and will obey them, so I have been informed, in protecting peaceable citizens from oppression from any quarter.

I did not say that any man's house was picketed. I did not mean to convey the idea that I would raise any troops; and, more than that, no man could do it in five days, even if they were organized.

I said that General Grant was at Holly Springs, and not at Corinth; I said the charge against him was false, but did not use the word "liar."

I cannot consent to remain silent in this matter; for, if I did so, under an incorrect impression of my personal views, I might be looked upon as one desiring a conflict, when, in truth, I am so adverse to anything of the kind that I will make any honorable sacrifice to avoid it.

Hoping that I may have this explanation placed before your readers, I remain, very respectfully,

N. B. FORREST.

[See page 28.]

Damnans quod non intelligunt.

PRESCRIPT OF THE * * .

What may this mean,
That thou, dead corse, again, in complete steel,
Revisit'st thus the glimpses of the moon,
Making night hideous, and we fools of nature
So horribly to shake our disposition
With thoughts beyond the reaches of our souls?

An' now auld Cloots, I ken ye're thinkin'
A certain Ghoul is rantin', drinkin';
Some luckless wight will send him linkin'
To your black pit;
But, faith! he'll turn a corner jinkin',
An' cheat you yet.

Amici humani generis.

CREED.

We, the * * , reverently acknowledge the majesty and supremacy of the Divine Being, and recognize the goodness and providence of the same.

PREAMBLE.

We recognize our relations to the United States Government, and acknowledge the supremacy of its laws.

APPELLATION.

ARTICLE I. This organization shall be styled and denominated the * * .

TITLES.

ART. II. The officers of this * shall consist of a Grand Wizard of the Empire and his ten Genii; a Grand Dragon of the Realm and his eight Hydras; a Grand Titan of the Dominion and his six Furies; a Grand Giant of the Province and his four Goblins: a

Grand Cyclops of the Den and his two Night Hawks; a Grand Magi, a Grand Monk, a Grand Exchequer, a Grand Turk, a Grand Scribe, a Grand Sentinel, and a Grand Ensign.

SEC. 2. The body-politic of this * shall be designated and known as "Ghoul's."

DIVISIONS.

ART. III. This * shall be divided into five departments, all combined constituting the Grand * of the Empire; the second department to be called the Grand * of the Realm; the third, the Grand * of the Dominion; the fourth, the Grand * of the Province; the fifth, the * of the Den.

Magna est veritas, et prævalebunt.

Nec scire fas est omnia.

DUTIES OF OFFICERS.

Grand Wizard.

ART. IV, SEC. 1. It shall be the duty of the Grand Wizard, who is the supreme officer of the empire, to communicate with and receive reports from the Grand Dragons of Realms as to the condition, strength, efficiency, and progress of the *s within their respective realms; and he shall communicate from time to time to all subordinate *s, through the Grand Dragons, the condition, strength, efficiency, and progress of the *s, throughout his vast empire, and such other information as he may deem expedient to impart. And it shall further be his duty to keep by his G. Scribe a list of the names (without any caption or explanation whatever) of the Grand Dragons of the different realms of his empire, and shall number such realms with the Arabic numerals, 1, 2, 3, &c., *ad finem*. And he shall instruct his Grand Exchequer as to the appropriation and disbursement which he shall make of the revenue of the * that comes to his hands. He shall have the sole power to issue copies of this prescript, through his subalterns and deputies, for the organization and establishment of subordinate *s. And he shall have the further power to appoint his Genii, also a Grand Scribe and a Grand Exchequer for his department, and to appoint and ordain Special Deputy Grand Wizards to assist him in the more rapid and effectual dissemination and establishment of the * throughout his empire. He is further empowered to appoint and instruct deputies to organize and control realms, dominions, provinces, and dens, until the same shall elect a Grand Dragon, a Grand Titan, a Grand Giant, and a Grand Cyclops, in the manner hereinafter provided.

Ne vile fano.

Ars est celare artem.

And when a question of paramount importance to the interest or prosperity of the * arises not provided for in this prescript, he shall have power to determine such question, and his decision shall be final until the same shall be provided for by amendment, as hereinafter provided.

Grand Dragon.

SEC. 2. It shall be the duty of the Grand Dragon, who is the chief officer of the realm, to report to the Grand Wizard, when required by that officer, the condition, strength, efficiency, and progress of the * within his realm, and to transmit through the Grand Titan to the subordinate *s of his realm, all information or intelligence conveyed to him by the Grand Wizard for that purpose, and all such other information or instruction as he may think will promote the interests of the *. He shall keep by his G. Scribe a list of the names (without any caption) of the Grand Titans of the different dominions of his realm, and shall report the same to the Grand Wizard when required; and shall number the dominions of his realm with the Arabic numerals, 1, 2, 3, &c., *ad finem*. He shall instruct his Grand Exchequer as to the appropriation and disbursement of the revenue of the * that comes to his hands. He shall have the power to appoint his Hydras; also, a Grand Scribe and a Grand Exchequer for his department, and to appoint and ordain Special Deputy Grand Dragons to assist him in the more rapid and effectual dissemination and establishment of the * throughout his realm. He is further empowered to appoint and instruct deputies to organize and control dominions, provinces, and dens, until the same shall elect a Grand Titan, a Grand Giant, and Grand Cyclops in the manner hereinafter provided.

Nusquam tuta fides.

Quid faciendum?

Grand Titan.

SEC. 3. It shall be the duty of the Grand Titan, who is the chief officer of the dominion, to report to the Grand Dragon, when required by that officer, the condition, strength, efficiency, and progress of the * within his dominion, and to transmit through the Grand Giants to the subordinate *s of his dominion, all information or intelligence conveyed to him by the Grand Dragon for that purpose, and all such other information or instruction as he may think will enhance the interests of the *. He shall keep, by his G. Scribe, a list of the names (without caption) of the Grand Giants of the different provinces of his dominion, and shall report the same to the Grand Dragon when required; and he shall number the provinces of his dominion with the Arabic numerals, 1, 2, 3, &c., *ad finem*. And he shall instruct and direct his Grand Exchequer as to the appropriation and disbursement of the revenue of the * that comes to his hands. He shall have power to appoint his Furies; also to appoint a Grand Scribe and a Grand Exchequer of his department, and appoint and ordain Special Deputy Grand Titans to assist him in the more rapid and effectual dissemination and establishment of the * throughout his dominion. He shall have further power to appoint and instruct deputies to organize and control provinces and dens until the same shall elect a Grand Giant and a Grand Cyclops, in the manner hereinafter provided.

Grand Giant.

SEC. 4. It shall be the duty of the Grand Giant, who is the chief officer of the province, to supervise and administer general and special instruction in the formation and establishment of *s within his province, and to report to the Grand Titan, when required by that officer, the condition, strength, progress, and efficiency of the * through-

Fide non armis.

Fiat justitia.

out his province, and to transmit through the Grand Cyclops to the subordinate *s of his province, all information or intelligence conveyed to him by the Grand Titan for that purpose and such other information and instruction as he may think will advance the interest of the *. He shall keep, by his G. Scribe, a list of the names (without caption) of the Grand Cyclops of the various dens of his province, and shall report the same to the Grand Titan when required, and shall number the dens of his province with the Arabic numerals, 1, 2, 3, &c., *ad finem*; and shall determine and limit the number of dens to be organized in his province; and he shall instruct the Grand Exchequer as to what appropriation and disbursement he shall make of the revenue of the * that comes to his hands. He shall have power to appoint his Goblins; also, a Grand Scribe and a Grand Exchequer for his department, and to appoint and ordain Special Deputy Grand Giants to assist him in the more rapid and effectual dissemination and establishment of the * throughout his province. He shall have the further power to appoint and instruct deputies to organize and control dens until the same shall elect a Grand Cyclops, in the manner hereinafter provided. And in all cases he shall preside at and conduct the Grand Council of Yahoos.

Grand Cyclops.

SEC. 5. It shall be the duty of the Grand Cyclops to take charge of the * of his den after his election, under the direction and with the assistance (when practicable) of the Grand Giant, and in accordance with, and in conformity to, the provisions of this pre-script, a copy of which shall in all cases be obtained before the formation of a * begins.

Hic manent vestigia, morientis libertatis.

Curæ leves loquuntur, ingentes stupent.

It shall further be his duty to appoint all regular meetings of his *, and to preside at the same; to appoint irregular meetings when he deems it expedient; to preserve order in his den, and to impose fines for irregularities or disobedience of orders, and to receive and initiate candidates for admission into the *, after the same shall have been pronounced competent and worthy to become members by the investigating committee. He shall make a quarterly report to the Grand Giant of the condition, strength, and efficiency of the * of his den, and shall convey to the Ghouls of his den all information or intelligence conveyed to him by the Grand Giant for that purpose, and all such other information or instruction as he may think will conduce to the interests and welfare of the *. He shall preside at and conduct the Grand Council of Centaurs. He shall have power to appoint his Night Hawks, his Grand Scribe, his Grand Turk, his Grand Sentinel, and his Grand Ensign. And he shall instruct and direct the Grand Exchequer of his den

as to what appropriation and disbursement he shall make of the revenue of the * that comes to his hands. And for any small offense he may punish any member by fine, and may reprimand him for the same. And he may admonish and reprimand the * of his den for any imprudence, irregularity, or transgression, when he is convinced or advised that the interests, welfare, and safety of the * demand it.

Dat Deus his quoque finem.

Cessante causa, cessat effectus.

Grand Magi.

SEC. 6. It shall be the duty of the Grand Magi, who is the second officer in authority of the den, to assist the Grand Cyclops, and to obey all the proper orders of that officer; to preside at all meetings in the den in the absence of the Grand Cyclops; and to exercise during his absence all the powers and authority conferred upon that officer.

Grand Monk.

SEC. 7. It shall be the duty of the Grand Monk, who is the third officer in authority of the den, to assist and obey all the proper orders of the Grand Cyclops and the Grand Magi. And in the absence of these officers, he shall preside at and conduct the meetings in the den, and shall exercise all the powers and authority of the Grand Cyclops.

Grand Exchequer.

SEC. 8. It shall be the duty of the Grand Exchequers of the different departments of the * to keep a correct account of all the revenue of the * that shall come to their hands, and shall make no appropriation or disbursement of the same except under the orders and direction of the chief officer of their respective departments. And it shall further be the duty of the Grand Exchequer of the dens to collect the initiation fees and all fines imposed by the Grand Cyclops.

Grand Turk.

SEC. 9. It shall be the duty of the Grand Turk, who is the executive officer of the Grand Cyclops, to notify the Ghouls of the den of all informal or irregular meetings appointed by the Grand Cyclops, and to obey and execute all the lawful orders of that

Droit et avant.

Cave quid dicis, quando, et cui.

officer in the control and government in his den. It shall further be his duty to receive and question at the outposts all candidates for admission into the *, and shall there administer the preliminary obligation required, and then conduct such candidate or candidates to the Grand Cyclops at his den, and to assist him in the initiation of the same; and it shall further be his duty to act as the executive officer of the Grand Council of Centaurs.

Grand Scribe.

SEC. 10. It shall be the duty of the Grand Scribes of the different departments to conduct the correspondence, and to write the orders of the chiefs of their departments when required. And it shall further be the duty of the Grand Scribes of the den to keep a list of the names (without caption) of the Ghouls of the den, to call the roll at all regular meetings, and to make the quarterly report under the direction of the Grand Cyclops.

Grand Sentinel.

SEC. 11. It shall be the duty of the Grand Sentinel to detail, take charge of, post and instruct the grand guard, under the direction and orders of the Grand Cyclops, and to relieve and dismiss the same when directed by that officer.

Grand Ensign.

SEC. 12. It shall be the duty of the Grand Ensign to take charge of the grand banner of the *, to preserve it sacredly, and protect it carefully, and to bear it on all occasions of parade or ceremony, and on such other occasions as the Grand Cyclops may direct it to be flung to the night-breeze.

ELECTION OF OFFICERS.

ART. V, SEC. 1. The Grand Cyclops, the Grand Magi, the Grand Monk, and the Grand

Dormitur aliquando jus, moritur numquam.

Deo adjuvante, non timendum.

Exchequer of Dens shall be elected semi-annually by the Ghouls of Dens. And the first election of these officers may take place as soon as seven Ghouls have been initiated for that purpose.

SEC. 2. The Grand Wizard of the Empire, the Grand Dragons of Realms, the Grand Titans of Dominions, and the Grand Giants of Provinces shall be elected biennially, and in the following manner, to wit: The Grand Wizard by a majority vote of the Grand Dragons of his empire; the Grand Dragon by a like vote of the Grand Titans of his realm; the Grand Titan by a like vote of the Grand Giants of his dominion; and the Grand Giant by a like vote of the Grand Cyclops of his province.

The first election for Grand Dragon may take place as soon as three dominions have been organized in a realm; but all subsequent elections shall be by a majority vote of the Grand Titans throughout the realm, and biennially as aforesaid.

The first election for Grand Titan may take place as soon as three provinces have been organized in a dominion, but all subsequent elections shall be by a majority vote of all the Grand Giants throughout the dominion, and biennially as aforesaid. The first election for Grand Giant may take place as soon as three dens have been organized in a province, but all subsequent elections shall be by a majority vote of the Grand Cyclops throughout the province, and biennially as aforesaid.

The Grand Wizard of the Empire is hereby created, to serve three years from the first Monday in May, 1867; after the expiration of which time biennial elections shall be held for that office as aforesaid, and the incumbent Grand Wizard shall notify the

*
Spectemur agendo.

Grand Dragons, at least six months before said election, at what time and place the same will be held.

JUDICIARY.

ART VI, SEC. 1. The tribunal of justice of this * shall consist of a Grand Council of Yahoos, and a Grand Council of Centaurs.

SEC. 2. The Grand Council of Yahoos shall be the tribunal for the trial of elected officers, and shall be composed of officers of equal rank with the accused, and shall be appointed and presided over by an officer of the next rank above, and sworn by him to administer even-handed justice. The tribunal for the trial of the Grand Wizard shall be composed of all the Grand Dragons of the Empire, and shall be presided over and sworn by the Senior Grand Dragon. They shall have power to summon the accused, and witnesses for and against him; and if found guilty they shall prescribe the penalty and execute the same. And they shall have power to appoint an executive officer to attend said council while in session.

Nemo nos impune lacessit.

SEC. 3. The Grand Council of Centaurs shall be the tribunal for the trial of Ghouls and non-elective officers, and shall be composed of six judges appointed by the Grand Cyclops from the Ghouls of his den, presided over and sworn by him to give the accused a fair and impartial trial. They shall have power to summon the accused, and witnesses for and against him; and if found guilty they shall prescribe the penalty and execute the same. Said judges shall be selected by the Grand Cyclops with refer-

Patra cara, carior libertas.

ence to their intelligence, integrity, and fairmindedness, and shall render their verdict without prejudice or partiality.

REVENUE.

ART. VII, SEC. 1. The revenue of this * shall be derived as follows: For every copy of this precript issued to the *s of dens, ten dollars will be required; two dollars of which shall go into the hands of the Grand Exchequer of the Grand Giant; two into the hands of the Grand Exchequer of the Grand Titan; two into the hands of the Grand Exchequer of the Grand Dragon, and the remaining four into the hands of the Grand Exchequer of the Grand Wizard.

SEC. 2. A further source of revenue to the empire shall be ten per cent. of all the revenue of the realms, and a tax upon realms when the Grand Wizard shall deem it necessary and indispensable to levy the same.

SEC. 3. A further source of revenue to the realms shall be ten per cent. of all revenue of dominions; and a tax upon dominions when the Grand Dragon shall deem such tax necessary and indispensable.

SEC. 4. A further source of revenue to dominions shall be ten per cent. of all revenue of

Ad unum omnes.

provinces, and a tax upon provinces when the Grand Titan shall deem such tax necessary and indispensable.

SEC. 5. A further source of revenue to provinces shall be ten per cent. on all the revenue of dens, and a tax upon the dens when the Grand Giant shall deem such tax necessary and indispensable.

SEC. 6. The source of revenue to dens shall be the initiation fees, fines, and a per capita tax, whenever the Grand Cyclops shall deem such tax indispensable to the interests and purposes of the *.

SEC. 7. All of the revenue obtained in the manner herein aforesaid shall be for the exclusive benefit of the *, and shall be appropriated to the dissemination of the same, and to the creation of a fund to meet any disbursement that it may become necessary to make to accomplish the objects of the *, and to secure the protection of the same.

OBLIGATION.

ART. VIII. No one shall be a member of this * unless he shall take the following oath or obligation:

I, ———, of my own free will and accord, and in the presence of Almighty God, do solemnly swear (or affirm) that I will never reveal to any one not a member of the **, by any intimation, sign, symbol, word, or act, or in any other manner whatever, any of the secrets, signs, grips, passwords, mysteries, or purposes of the **, or that I am a member of the same, or that I know of any one who is a member, and that I will abide by the prescript and edicts of the **. So help me God.

SEC. 2. The preliminary obligation to be administered before the candidate for admis-

Deo duce, ferro comitante.

sion is taken to the Grand Cyclops for examination shall be as follows:

I do solemnly swear (or affirm) that I will never reveal anything that I may this day (or night) learn concerning the **. So help me God.

ADMISSION.

ART. IX, SEC. 1. No one shall be presented for admission into this order until he shall have been recommended by some friend or intimate, who is a member, to the investigating committee, which shall be composed of the Grand Cyclops, the Grand Magi, and the Grand Monk; and who shall investigate his antecedents, and his past and present standing and connections; and if, after such investigation, they pronounce him competent and worthy to become a member, he may be admitted upon taking the obligation required, and passing through the ceremonies of initiation: *Provided*, That no one shall be admitted into this * who shall have not attained the age of eighteen years.

SEC. X. No one shall become a member of a distant * when there is a * established and in operation in his own immediate vicinity; nor shall any one become a member of any * after he shall have been rejected by another *.

ENSIGN.

ART. X. The grand banner of this * shall be in the form of an isosceles triangle, five feet long and three feet wide at the staff. The material shall be yellow, with a

(Tempora mutantur, et nos mutamen in illis, ad utrumque paratus.)

red scalloped border, about three inches in width. There shall be painted upon it, in black, a *Draco volens*, or Flying Dragon,† with the following motto inscribed above the Dragon: "Quod semper, quod ubique, quod ab omnibus."‡

AMENDMENTS.

ART. XI. This prescript, or any part, or edicts thereof, shall never be changed except by a two-thirds vote of the Grand Dragons of the Realms, in convention assembled and at which convention the Grand Wizard shall preside and be entitled to a vote.

† See Webster's Unabridged Pictorial.

‡ "What always, what everywhere, what by all is held to be true."

And upon the application of a majority of the Grand Dragons, for the purpose, the Grand Wizard shall appoint the time and place for said convention; which, when assembled, shall proceed to make such modification and amendment as it may think will advance the interest, enlarge the utility, and more thoroughly effect the purposes of the *.

INTERDICTION.

ART. XII. The origin, designs, mysteries, and ritual of this * shall never be written, but the same shall be communicated orally.

(O tempora! O mores!)

REGISTER.

I.—1st. Dismal. 2d. Dark. 3d. Furious. 4th. Portentous. 5th. Wonderful. 6th. Alarming. 7th. Dreadful. 8th. Terrible. 9th. Horrible. 10th. Melancholy. 11th. Mournful. 12th. Dying.

II.—I. White. II. Green. III. Blue. IV. Black. V. Yellow. VI. Crimson. VII.

III.—1. Fearful. 2. Startling. 3. Awful. 4. Woeful. 5. Horrid. 6. Bloody. 7. Doleful. 8. Sorrowful. 9. Hideous. 10. Frightful. 11. Appalling. 12. Lost.

EDICTS.

I. The initiation fee of this * shall be one dollar, to be paid when the candidate is initiated and received into the *.

II. No member shall be allowed to take any intoxicating spirits to any meeting of the *, nor shall any member be allowed to attend a meeting when intoxicated; and for every appearance at a meeting in such a condition he shall be fined not less than one nor more than five dollars, to go into the revenue of the *.

III. Any member may be expelled from the * by a majority vote of the officers and

Cavendo tutus.

Astra castra, numen lumen.

Ghouls of the den to which he belongs, and if after expulsion such member shall assume any of the duties, regalia, or insignia of the *, or in any way claim to be a member of the same, he shall be severely punished. His obligation of secrecy shall be as binding upon him after expulsion as before, and for any revelation made by him thereafter he shall be held accountable in the same manner as if he were then a member.

IV. Every Grand Cyclops shall read, or cause to be read, this prescript and these edicts to the ts of his den at least once in every three months; and shall read them to each new member when he is initiated, or present the same to him for personal perusal.

V. Each den may provide itself with the grand banner of the *.

VI. The ts of dens may make such additional edicts for their control and government as they shall deem requisite and necessary: *Provided*, No edict shall be made to conflict with any of the provisions or edicts of this prescript.

VII. The strictest and most rigid secrecy concerning any and every thing that relates to the * shall at all times be maintained.

VIII. Any member who shall reveal or betray the secrets or purposes of this * shall suffer the extreme penalty of the law.

Hush, thou art not to utter what I am. Bethink thee; it was our covenant. I said that I would see thee once again.

Ne quid detrimenti respublica capiat. Amici neque ad aras.

L'ENVOI.

To the lovers of law and order, peace and justice, we send you greeting; and to the shades of the venerated dead we affectionately dedicate the ††.

Nos ducit amor libertatis.

A true copy from the book.

WM. GALBREATH.

WASHINGTON, D. C., July 15, 1871.

ANDREW J. FLOWERS (colored) sworn and examined:

By the CHAIRMAN, (MR. POLAND:)

Question. Where do you live?

Answer. In Chattanooga, Tennessee.

Question. How long have you lived there?

Answer. Since July, 1865.

Question. Where did you live before July, 1865?

Answer. In Georgia.

Question. Were you born in Georgia?

Answer. Yes, sir.

Question. And did you always live in Georgia until you went to Chattanooga, six years ago?

Answer. Yes, sir.

Question. What has been your business since you lived in Chattanooga; what trade have you followed?

Answer. The only trade I followed was coopering. I learned the trade of coopering there within the last two or three years.

Question. And you have followed that?

Answer. Up to a year or so ago.

Question. Do you now hold some office?

Answer. Yes, sir; I am a justice of the peace.

Question. When were you chosen a justice of the peace?

Answer. I was elected on the 4th of last August.

Question. Are justices of the peace in Tennessee elected by a vote of the people?

Answer. Yes, sir; I was elected by a vote of the people.

Question. By a vote of the city of Chattanooga?

Answer. Yes, sir; the fourteenth civil district.

Question. Does that include any more than the city of Chattanooga?

Answer. No, sir; it does not—not for regular business. In any district in the county I can sign any papers connected with that office.

Question. You are a justice of the peace for the whole county?

Answer. Yes, sir; for the whole county

Question. How many justices were elected at the same time as yourself?

Answer. In our district three were elected at the same time.

Question. Were they all colored men?

Answer. No, sir; I was the only colored man; the other two were white men.

Question. Since you were elected last August, have you been performing duty as a magistrate or justice of the peace?

Answer. I have.

Question. How far is Chattanooga from the Georgia line?

Answer. Only four and a half miles by the nearest route.

Question. I want to inquire of you particularly in reference to some violence which it has been understood was committed upon you a short time ago. Tell us the story in reference to that.

Answer. On the 17th of last month I went out from Chattanooga to Whiteside on a visit to a school which my sister was teaching. Whiteside is on the Nashville and Chattanooga Railroad, fourteen miles west from Chattanooga. I went down there on Saturday night and staid all night. My sister is teaching school there.

Question. A colored school?

Answer. Yes, sir.

Question. Is it a public or a private school?

Answer. It is a private school, supported by a party of people in that district.

Question. Various colored people living about in that vicinity associate together and hire your sister to teach their children?

Answer. That is it, sir.

Question. You went down on Saturday night and staid over Sunday?

Answer. Yes, sir.

Question. State all that took place.

Answer. On Sunday night, between 11 and 12, or 10 and 11 o'clock, I cannot say exactly which, (I had been over to the mountain that day, visiting the coal mines, and was very tired, and slept very sound,) I woke up, and there was a crowd of men, all with masks, around me, with pistols in their hands. They waked me up. They called me by my name; they took me out near a mile from the house.

Question. Tell all that they said.

Answer. They took me out about a mile from the house, talking all the time they were going along.

Question. What did they say to you at the house?

Answer. They asked me what was my name. I told them. Then some of them said, "O, yes; you are the man we are looking for," and so forth. One of them told me they were going to kill me. He said, "I am going to give you five of these balls." He had a pistol in his hand. After they got me out of doors, the captain of the organization (they called him "captain") told me that he was going to whip me; he said he would give me twenty-five lashes; that I had had the impudence to run against a white man for office, and beat him; that they were not going to allow it; that it was an organization organized by them to stop negroes holding office, and to put out of office those that had office; that if they did not get out of office by being told or notified

or whipped, they were going to kill them. They took me up about a mile from the house, I reckon, and hit me as much as twenty-five times.

Question. Did they take you into a woods or swamp?

Answer. They took me through the woods into an old field, down near a swamp. I had never been there before. They took off my coat, and whipped me with hickories seven or eight feet long; they said they were going to give me twenty-five lashes, and I guess they gave it to me. They told me that if I would promise to resign my office when I went to Chattanooga next morning, they would turn me loose; and I very readily promised it.

Question. They required you to promise to resign your office?

Answer. Yes, sir.

Question. At the time they came into your house, were you in bed and undressed?

Answer. Yes, sir.

Question. Did they allow you to dress yourself?

Answer. Yes, sir; they told me to put on my clothes.

Question. And when they got down to the field they made you take off your coat?

Answer. Yes, sir; my coat and vest; and one of the men held them till they got through.

Question. They did not require you to take off any of the rest of your clothing?

Answer. No, sir.

Question. How many of the men whipped you?

Answer. There were three of them whipped me separately.

Question. Did they strike severely?

Answer. Yes, sir; they struck as hard as they could strike; I don't think they could have struck harder. They made me get on my knees, and by that means the point of the hickories struck the ground, so that they did not cut my skin any.

Question. You think that the length of the hickories prevented the blows from being as severe as they otherwise would have been?

Answer. Yes, sir; I am certain of it.

Question. They whipped you until you promised to resign your office?

Answer. Yes, sir.

Question. And when they got from you the promise that you would resign your office, did they then cease beating you?

Answer. I promised them that before they struck a lick; they required me to, and I did it.

Question. State as much of the conversation as you can remember—all that they said from the time they came until they let you go.

Answer. When they were taking me out of the door, they said they had nothing particular against me; that they didn't dispute I was a very good fellow, and they never heard anything wrong of me; but they did not intend any nigger to hold office in the United States; that they were going to stop it, and were going to whip me to show me that I was not to have the impudence to run against any white man in an election, as I had done; and that I might notify a couple of other colored men that we have in our city—members of the city board—that they were going to get them. They said further that any white man who had anything to do with my election—going my bond or anything of that sort—if they got hold of him they would treat him just as they did me.

Question. Did they say anything about colored people voting?

Answer. No, sir; they did not say anything about colored people voting—not to me. They said they did not object to the people having the school, but that the association of colored people had to stop meeting so often; that if they kept meeting there like they were doing, they would form a sort of a league after a while, and be for trying to stop them, and they were going to stop that.

Question. They said they intended to stop this association that had this school?

Answer. Yes, sir; and that they had understood I came out there to regulate the schools; that if the people out there wanted schools they had to regulate themselves; that no nigger justices from Chattanooga should regulate schools for that part of the country.

Question. Did your visit have anything to do with the schools?

Answer. Not a thing.

Question. You went merely to visit your sister?

Answer. That is all I went there for.

Question. This association of colored men who have this school, is it an association for any other purpose than to maintain a school for their children?

Answer. No, sir; I am confident that they are not. They only meet when they want to get a teacher, or want to make up money to pay the teacher.

Question. They only meet when they want to attend to some business in connection with the schools?

Answer. That is all the time they meet.

Question. They have no league or society for any other purpose, so far as you know?

Answer. I do not think they have.

Question. At whose house were you stopping when you were making this visit ?

Answer. I was at the house of Birch Overby, a colored man.

Question. Is that where your sister boards ?

Answer. Yes, sir.

Question. Did those men take out anybody else besides yourself ?

Answer. They took out a young man that formerly lived there ; but he got out of a situation there and came to Chattanooga and works there. He goes home every Saturday night.

Question. He had gone to stay at home over Sunday ?

Answer. Yes, sir ; he always goes to stay at home on Sundays, and he keeps his clothes there mostly. They took him out, but did not whip him any. There were three other men in the house. The owner of the house they had whipped twice before that. They told me so, and I have heard him say so. These same men told me that they had whipped him before.

Question. You also heard it from him ?

Answer. Yes, sir ; and they told me themselves that they had whipped him severely twice before.

Question. Did these men say anything to you about elections ?

Answer. Nothing more than just about colored men running for office, and that they should not do it.

Question. Did they say anything about the next presidential election ?

Answer. No, sir, I do not think they did. I was pretty badly excited, and a great deal that they did say I suppose I cannot remember now.

Question. Did you know any of these men ?

Answer. No, sir ; not one of them.

Question. How many do you think there were ?

Answer. Well, from how they looked I thought probably fifteen or sixteen.

Question. Were they all disguised ?

Answer. Yes, sir.

Question. What sort of disguises had they on ?

Answer. Gowns—some red, some black, and some white. Then they had a sort of a face and cap all made together, with eye-holes and a mouth-hole.

Question. The cap had something that came down over the face ?

Answer. Yes, sir.

Question. What was the shape of the cap ?

Answer. I really could not tell you, because I was afraid to eye them too close. I could look in their faces, but was afraid to eye them too close.

Question. Did they all seem to be armed ?

Answer. They were all armed when I saw them. When I first waked up they were pretty well all in the house, and they all had pistols in their hands, right over me.

Question. You did not wake up until after they got into the house ?

Answer. No, sir.

Question. Have you any idea as to where these men lived ?

Answer. My opinion is that they lived right around in that vicinity.

Question. In the vicinity of where you were that night ?

Answer. Yes, sir.

Question. You do not think they were men who came from Chattanooga ?

Answer. I could not say ; but I think a portion of them were from right around there. I think so from what they said. I know that one of them said to the other boy, "I suppose some of you are fixing up a sort of a gang here to fight the Ku-Klux." He said, "No, I am not." Then the man said, "You do not know who you are talking to ; I am the very man that got your bullet-molds and your gun that night when we were here before." I supposed from that that they must live right around there—some of them at least.

Question. Is Whiteside in the same county as Chattanooga ?

Answer. No, sir, it is in the lower part of Marion County, I think.

Question. This was not within your jurisdiction as justice of the peace ?

Answer. No, sir.

Question. Did these men say anything about colored people voting ?

Answer. No, sir, I don't think they did ; if they did I don't remember it.

Question. You say they had whipped before this man at whose house you were stopping ?

Answer. Yes, sir.

Question. How long before ?

Answer. The last time I think was inside of two months.

By Mr. COBURN :

Question. What did they say they whipped him for ?

Answer. They did not say what they whipped him for. I heard him say what they whipped him for the last time, and what he thought they whipped him for the first time.

By the CHAIRMAN, (Mr. POLAND:)

Question. What was it?

Answer. The first time they were after a man that staid down there. This colored man knew some of the men that were ku-kluxing; he could always tell pretty nearly the time they were coming and could notify the people. They were sort of watching for them. When he heard them coming he went to work and told the old man that boards at his house that he had better get out, that the Ku-Klux were coming. They suspicioned that he did tell that, and they took him out and whipped him.

Question. They suspected that he notified the old man so that he got out of the way?

Answer. Yes, sir.

Question. What was the reason of his being whipped the second time?

Answer. I think he has been a sort of a seaman; he can splice ropes—these wire ropes that they use to pull coal backward and forward on the coal-track. There was a white man, I think, that had been doing that or wanted to do it, and this colored man had taken the job. Some republican man down there gave him the job in preference to this other man. They went and whipped him for that.

Question. What are those ropes used for?

Answer. For pulling coal-cars. It is a kind of wire rope. It is called a rope, but it is a big wire.

Question. Somebody had given him the job of doing this work?

Answer. Yes, sir; of splicing the rope when it broke.

Question. Have you stated all that took place that night?

Answer. Well, I think I have stated all that took place that night as nigh as I can remember it.

Question. Did they leave you down in the field, or did they go back with you to the house?

Answer. They went back to the house with me, and staid there and talked for nearly an hour, I suppose. They all sat round the yard and staid there. Some wanted to take me back and whip me again. They said they had not got any blood, and they ought to have blood. They asked me where I was raised, who I had belonged to, and all such things as that.

Question. Did they say anything more about your office or your resigning it?

Answer. They told me very distinctly that they wanted me to understand that I must be punctual to my promise. I promised them I would. They said if I didn't do it, they would kill me the next time they caught me.

Question. You went out there from Chattanooga on the cars?

Answer. Yes, sir.

Question. In the evening?

Answer. Yes, sir; I think the train left at 8 o'clock in the evening.

Question. Was anybody that you knew on the train?

Answer. There was nobody on there, I believe, that I knew. There was one gentleman that I knew when the train started; but I don't know where he got off.

Question. A Chattanooga man?

Answer. Yes, sir. There were two Chattanooga men on there. There was another that I did not know at that time; but after this transaction had taken place I remembered him very well when I saw him. I saw he had a basket and valise, and he got off at Whiteside. The gentleman that my sister boarded with told me who he was, and I remembered him then.

Question. He got off at Whiteside and stopped there?

Answer. Yes, sir.

Question. Have there been other colored men whipped in the vicinity of Chattanooga?

Answer. Yes, sir; there have been other colored men whipped around there.

Question. How long ago did this whipping of colored men begin?

Answer. I disremember exactly how long it has been; but some time last year this thing started up around there.

Question. Have there been any colored men killed by these bands of disguised men in that part of the country?

Answer. Yes, sir; there was one killed last spring—since Christmas, or just before Christmas. He was killed six miles west of Chattanooga, at a place on the railroad called Wauhatchie Station.

Question. What was his name?

Answer. I do not remember. He came into my place on Saturday to get a marriage license. I went to the clerk's office and went his security; but I forget his name now.

Question. Was he killed that same night?

Answer. Yes, sir; that or the next night.

Question. Was he killed by disguised men?

Answer. Yes, sir; he was taken out of the house by them.

Question. How is it known he was killed?

Answer. They found his body next morning.

Question. Was he killed by shooting?

Answer. He was hung up and then shot.

Question. Do you know what they killed him for?

Answer. No, sir; I never could find out what they had against him.

Question. Did you ever hear it alleged that he had committed any crime?

Answer. I heard several rumors that there was a man in that vicinity where he was that wanted to make a contract with him, or something of the sort, about some land, and they could not agree, and had some words.

Question. Was that shortly before he was killed?

Answer. Yes; a week or so before he was taken out.

Question. Whether that had anything to do with the killing, you do not know?

Answer. No, sir. The man that was killed was a son-in-law of an old man that was whipped since that time—a man by the name of Isaac Beeson.

Question. Where did Isaac Beeson live?

Answer. At Wauhatchie Station. After he was whipped by the Ku-Klux he came to Chattanooga, and is there yet.

Question. Was that before or after his son-in-law was killed?

Answer. Afterward. I do not think it is more than three or four months ago that he was whipped.

Question. Was he taken out and whipped by a body of disguised men?

Answer. Yes, sir.

Question. What did they whip him for?

Answer. I never could find out. He did not say they had any charge against him.

Question. You talked with him about it?

Answer. No, sir; I never had any special talk with him about it. I heard him say this; I was standing off while he was talking. He said they told him they had been lying behind the moon for a great many nights and days, watching of him, that he was a good old nigger, and they had nothing against him, but that he was getting most too sauey and that they had better whip him a little and maybe he would obey better. That was the tale I heard him tell.

Question. Did they whip him severely?

Answer. They whipped him pretty bad.

Question. Did you see him immediately after he was whipped?

Answer. I saw him after he was whipped.

Question. How old was he?

Answer. He is a man betwixt fifty and sixty—probably older. He has grown children and grandchildren.

Question. How long have you known him?

Answer. I have heard of him a good deal. I never saw him to know him before this case happened. He has always lived in the country.

Question. Have you ever heard anything against his character?

Answer. I never heard anything against his character. He always had a very good character so far as I have ever heard—he and his family.

Question. Do you know whether he is a man of prominence among his people?

Answer. I think he is; he is an old citizen, and I think he is a leader down there amongst them.

Question. Does he have anything to do about elections or about politics?

Answer. Yes, sir, right smart. I have heard several men speaking of it. They would say that if it had not been for Isaac Beeson such and such a thing would not have been done, and the republicans would not have any votes.

Question. You understand that he was a pretty active republican?

Answer. Yes, sir, an active republican; always took an active part in elections?

Question. Did you ever hear that he did anything improper, or was anything more than a zealous man on his side in politics?

Answer. I never did, sir.

Question. You say this old man, Isaac Beeson, removed into Chattanooga immediately after he was whipped?

Answer. Yes, sir.

Question. What did he come to Chattanooga for?

Answer. He did not consider that he was safe out at Wauhatchie.

Question. That is a thinly settled place?

Answer. Yes, sir.

Question. You understood that he broke up out there and came to Chattanooga in order to secure his safety?

Answer. Yes, sir; that is my understanding.

Question. Have there been any other colored men killed in the neighborhood of Chattanooga?

Answer. I do not believe there have.

Question. Have there been any others whipped?

Answer. Yes, sir; there have been some others whipped. One of them by the name of Joe Coulter was whippé.

Question. Where did he live?

Answer. In Chattanooga. He was whipped there. He has been living there all the time. He lived there before the war; and he was whipped in Chattanooga.

Question. In the town?

Answer. Yes, sir. That was last January or February—I cannot say which.

Question. What were the circumstances about his being whipped?

Answer. I know the circumstances as he states them. He married a white woman, and the Ku-Klux came after him and whipped him.

Question. Had he lately been married?

Answer. No, sir; he had been married a good long while—two or three years, I think.

Question. Did they take him out of the house?

Answer. He states that they took him out of his house and down on the bank of the river. He did not live very far from the river.

Question. Did they take him away from the houses?

Answer. Yes, sir.

Question. To a somewhat solitary place?

Answer. Yes, sir; they took him down on the bank of the river.

Question. Was he severely whipped?

Answer. He was severely whipped. People who heard them whipping him do not believe he got less than two hundred lashes.

Question. Did you see him soon after he was whipped?

Answer. Yes, sir. He told me he was severely whipped.

Question. Did you see his person?

Answer. No, sir. We were talking right in the street.

Question. Did they tell him what they whipped him for?

Answer. Yes, sir.

Question. What was the reason they gave?

Answer. Because he had married a white woman.

Question. They did not like that?

Answer. No, sir.

Question. Are you acquainted with him?

Answer. Yes, sir; I have known him personally.

Question. Is he a respectable man?

Answer. I think he is a very respectable sort of a man. I never knew anything else of him.

Question. Have you ever heard him charged with having committed any offense or crime?

Answer. There is no such thing alleged against him, I think.

Question. You do not understand that these men who whipped him made any complaint against him except that he had a white wife?

Answer. That was all I understood.

Question. You understand that he is married to this woman?

Answer. He is married to her; I am pretty sure of that. That is what he states. I know a great many of them there are.

Question. Can you tell any other cases where colored men have been whipped?

Answer. Last Saturday night two weeks ago there were whippings over the river; they whipped a man there—on the north side from Chattanooga, over the river.

Question. Chattanooga is on the south side of the river?

Answer. Yes, sir. And about the time this man Coulter was whipped, this same crowd, I suppose, went there and whipped a man with a chain, and nearly killed him. I think he died.

Question. Do you know his name?

Answer. No, sir.

Question. Was that done by a body of disguised men?

Answer. Yes, sir; a body of disguised men.

Question. Do you understand what they killed him for?

Answer. That was for having a fuss with a white man. That is my information.

Question. What was the fuss. Was there some dispute about a matter of business?

Answer. It was some dispute about some business; they had a little fight, I suppose, and I think he whipped the white man.

Question. And these men then took him and whipped him with a chain and killed him?

Answer. Yes, sir.

Question. State now what took place two weeks ago last Saturday night.

Answer. I was informed by persons living there that these men were over there and whipped a man. I did not find out the man's name, nor what they whipped him for.

Question. Did you understand that it was done by a body of men in disguise?

Answer. Yes, sir; a body of men in disguise.

Question. Are those all the cases you remember of whippings in that county?

Answer. Well, a white man, a republican, was whipped pretty badly the night that Joe Coulter was whipped. His name was Brubaker.

Question. Did you know him?

Answer. I was pretty well acquainted with him.

Question. Is he a respectable man?

Answer. Yes, sir; a man of very good standing; he is a carpenter, and did a good business there.

Question. What did they whip him for?

Answer. He and his wife had a little falling out. They went there and whipped him for that, I suppose; I do not know what else. They made him agree to go back to his wife.

Question. He and his wife had separated?

Answer. Yes, sir; they were living apart. They made him agree that he would go back and live with her.

Question. Was he whipped?

Answer. So I was informed by other persons and also by himself.

Question. Have you ever seen any of these bands of disguised men except the band that took you out?

Answer. No, sir, I never saw any but that.

Question. You have seen none since?

Answer. No, sir.

Question. You have heard of these disguised bands since some time last year?

Answer. I have heard of them frequently.

Question. What is the general understanding in the community as to why these men are going about in this way?

Answer. The general understanding out by me is that it is to intimidate the colored people and the white republicans. They always get worse about elections. In some parts of the country round where I am they are not so bad at all times; they get worse about election times.

Question. The election seems to inflame them?

Answer. Yes, sir; they don't want men to vote the republican ticket. I have known men who said they had told them, "You vote that ticket and you will be ku-kluxed to-night." That is the way they do generally round on the mountains.

Question. Men have told you that that has been said to them?

Answer. Yes, sir.

Question. Colored men?

Answer. Colored men.

Question. What has been the result of the operations of these men who go about disguised? How do the colored people feel, especially those who live away from towns?

Answer. Well, sir, they just feel and know that they are not in any safety.

Question. Are they afraid?

Answer. They are afraid. They know that when they come, if they have anything against them, or if they have not, but they have stood up to the republican party, they will kill them or whip them half to death.

Question. The colored people, so far as you know, think that these bands do not feel friendly toward them if they vote the republican ticket?

Answer. No, sir; they know that.

Question. Do the colored people all understand that if they vote on the republican side they are in danger from these bands?

Answer. They all understand it.

Question. That is the general feeling?

Answer. That is the feeling of the people.

Question. Do you know any instances where colored people have left the country and come into town, except this case of the old man that you spoke of?

Answer. Yes, sir. There is a place called the "Cove," twenty miles from Chattanooga, in Georgia, I believe, where the people come in frequently. They work and make good crops, and then they are driven off or ku-kluxed at night. I have known many cases where they would slip up in the day-time and get a load of their corn or something of that sort, and go away the same day.

Question. Because they are afraid of the Ku-Klux?

Answer. Yes, sir; the Ku-Klux would run them out. I know several families who are stopping around there who hardly had a place to go to on account of the Ku-Klux.

Question. Which way do the colored people generally vote?

Answer. Round these little towns where they get protection they always vote republican.

Question. How do the great mass of them want to vote?

Answer. They all want to vote the republican ticket. That is the intention of all of them if they are not intimidated.

Question. Do you think that any of them want to vote the other way?

Answer. There might be some. There are always some that are bribed; but the general mass of the colored people, you may say, vote the republican ticket.

Question. You think they would all vote that way if they were left free from any improper control or influence?

Answer. They will all vote that way.

Question. But you think, so far as their personal safety is concerned, it would be better for them to vote the other way?

Answer. We are all pretty sure of that, that if we would all vote the other way we would be perfectly safe.

Question. In no danger from the Ku-Klux?

Answer. In no danger from the Ku-Klux. We all know that if we would vote that ticket we would all be safe.

By Mr. COBURN :

Question. State the names of the witnesses of this outrage upon you.

Answer. I was at Birch Overby's house.

Question. Was anybody else there at that time?

Answer. Yes, sir.

Question. Who?

Answer. My sister, Roxana Flowers, Birch Overby's wife, Albert Lee, and Mac Overby.

Question. As to the outrage at Wauhatchie, did you hear who were present?

Answer. I did not hear exactly. I don't know whether the man lived with his father-in-law or lived by himself.

Question. Have you mentioned the names of all the persons on whom the other outrages were committed, so far as you know them all?

Answer. So far as I could remember.

Question. Have you mentioned the names of all the men who were whipped?

Answer. So far as I could remember, I think I have.

Question. Can you state the names of the witnesses of the whipping of this man Coulter, in Chattanooga?

Answer. I heard it spoken of by some who heard the whipping, but I do not know exactly now who they were. A man told me he heard the whipping, but I don't know exactly who he was; he lives in that neighborhood somewhere.

By Mr. BLAIR :

Question. You say you have lived in Chattanooga since 1865?

Answer. I have.

Question. Were you in the town in 1866?

Answer. I was.

Question. Do you recollect the canvass for governor, when Mr. Brownlow was elected?

Answer. Yes, sir; I remember it.

Question. Who was the democratic candidate in that canvass?

Answer. Well, I disremember who was the democratic candidate.

Question. Was it Mr. Etheridge?

Answer. Etheridge was the man.

Question. Was not Mr. Etheridge mobbed in that town by negroes?

Answer. He was not, to my knowledge.

Question. You did not know anything about that?

Answer. No, sir.

Question. Did you hear of it?

Answer. I never heard anything about it, that I know of.

Question. Did you hear of Mr. Etheridge being mobbed anywhere in the State?

Answer. I don't think I ever did.

Question. You never heard of his being mobbed by the negro militia of Brownlow?

Answer. I never heard of it; if I did, it has slipped my memory.

Question. Do you know of any democratic meetings having been broken up in Chattanooga by mobs?

Answer. In 1866?

Question. Yes, sir.

Answer. I do not know that any was broken up; there may have been some broken up; I did not take any particular part in politics in those days. If I happened to be around where there was anything going on, I generally knew of it; if not, I did not. I was a working fellow. I was never around at meetings of any sort except republican meetings. I never cared about being at democratic meetings. They may have been broken up by some means or other; I don't know. I think I did hear Etheridge speak there once; it seems to me I did.

Question. There was no mob at that time?

Answer. No, sir; no mob at that time. I think William B. Stokes made the first speech, and I staid till after he was through, and heard Etheridge speak a little while. When I left I think he was not through speaking.

Question. Did Mr. Etheridge and Mr. William B. Stokes speak at the same meeting?

Answer. I think they did, if I am not mistaken.

Question. Did you ever hear of any democratic meeting being broken up by the militia?

Answer. I don't think I did. There may have been some broken up, and I may have heard of it, but I don't remember it now. I don't remember hearing of any being broken up. I have been at meetings (I don't know but it was the time that Etheridge was running) when there were some colored orators there from Memphis, or somewhere else, and some parties wanted to break the meeting up, and other parties wanted to let them go through with it. I have been at several meetings where parties wanted to break them up.

Question. Who?

Answer. Some rowdy drinking parties, such as there are in all political meetings, wanted to stop the meeting; then there were other parties, with more judgment, who wanted the meeting to go on. I don't know of any political meetings being broken up at all. It seems to me I was not in Chattanooga then. It seems like there was a meeting broken up there one night by the democrats in front of the National. That is the only one I ever heard of.

By Mr. BECK:

Question. Have your people never interfered with any of your colored brethren when they wanted to vote the democratic ticket? Did they never object to their voting that ticket?

Answer. Do you mean me?

Question. No, the League?

Answer. O, yes, sir; some of them would talk to them, and tell them about it.

Question. Have they not sometimes cuffed them about it pretty smartly?

Answer. I don't know but there were some fights round the polls about voting; there might have been; I never had anything to do with it. I don't believe I ever knew an election to be held there without some little scuffle with some of them, I suppose, about voting the democratic ticket.

Question. Was it not a rather hard thing for a colored man to get a chance to vote the democratic ticket when any of his colored brethren were about?

Answer. I expect it was.

Question. They would talk to him pretty roughly?

Answer. They would talk to him about it, of course; refer him back to the days previous to these. I have talked to a good many of them. I never had any fuss with them about it. I have told them to vote as they pleased. I have had them reconsider, and vote the right sort of a ticket. I have seen them fooled by having the wrong ticket handed to them. Some have brought me their tickets to read for them, and I would tell them they were the wrong tickets. There is generally a contest about such things as that.

Question. Have you not known colored men to be abused and beaten by other colored men for trying to vote the democratic ticket?

Answer. It seems to me I have known some men have a fight about such things, but I could not say for certain when and where; but I have seen them have some contest about it.

WASHINGTON, D. C., July 31, 1871.

JOHN R. FRENCH sworn and examined.

By the CHAIRMAN:

Question. What official position do you occupy at this time?

Answer. I am Sergeant-at-Arms for the Senate of the United States.

Question. Has it been your duty to procure the attendance before this committee as witnesses of such persons as the committee have called from time to time?

Answer. I have been engaged in that duty for this committee since some time in May last.

Question. Were you directed to send for W. L. Saunders, of North Carolina?

Answer. I was.

Question. What communications, telegraphic or otherwise, have passed between you upon that subject?

Answer. In answer, I submit the following:

"WASHINGTON, D. C., July 15, 1871.

"To W. L. SAUNDERS, Chapel Hill, North Carolina:

"The Committee on Southern Outrages require your immediate attendance at Washington, as a witness before the committee.

"JNO. R. FRENCH,
"Sergeant-at-Arms United States Senate."

[Dated Chapel Hill, July 18, 1871.—Received at 1, via Durham 1.19.]

"To JNO. R. FRENCH, *Sergeant-at-Arms United States Senate* :

"Telegrams received. It will be impossible for me to reach Washington before next week.

"W. L. SAUNDERS."

By Mr. POOL :

Question. Do you know whether Mr. Saunders came to this city after his telegram was sent to you ?

Answer. I did not see him. Two or three men have been in my room who said that Mr. Saunders had been in the city, and asked me if he had been in my office. That is all I know about it.

By the CHAIRMAN :

Question. Did you subpoena James Avery, of Yorkville, South Carolina ?

Answer. Yes, sir.

Question. Did he reply ?

Answer. He did. He responded in person.

Question. Did he report to you ?

Answer. He did.

Question. Is he in the city at present ?

Answer. Not to my knowledge.

Question. Did he obtain leave of absence from you or from the committee ?

Answer. He did not from me ; I do not know what the committee said to him. After he had been gone a fortnight I received this letter from him :

"ST. CATHARINES, ONTARIO, CANADA,

"July 19, 1871.

"General J. R. FRENCH, *Sergeant-at-Arms United States Senate* :

"The extreme illness of Mrs. Avery, and the urgent necessity of at once bringing her to a cool and bracing climate, will, I hope, be a sufficient excuse to the members of the committee for my absence ; and though I should dislike very much to leave her among strangers, yet if the committee wishes it, and my wife's health permits, I will endeavor to attend on any *given day*. My evidence would only touch upon local affairs in York district, South Carolina, of no general importance whatever. Please telegraph me at once if I am wanted or not.

"I am, very respectfully,

"J. W. AVERY.

"If I am wanted, name as distant a day as possible.

"J. W. A."

By Mr. POOL :

Question. When did he leave the city of Washington ?

Answer. About a fortnight before the date of this letter. After I received his letter, by order of the committee, I telegraphed to him, and the operator replied that he was not able to find him.

By the CHAIRMAN :

Question. You telegraphed that he was wanted ?

Answer. I telegraphed that he need not come.

Question. Did you telegraph to F. N. Strudwick, of North Carolina, to come here as a witness ?

Answer. I did. The following papers will show what has been done :

"WASHINGTON, D. C., June 9, 1871.

"To F. N. STRUDWICK, *Hillsborough, North Carolina* :

"You are wanted here immediately, as witness, by congressional committee investigating condition of late insurrectionary States. Telegraph when you may be expected.

"JOHN R. FRENCH,

"*Sergeant-at-Arms United States Senate.*"

[Dated Hillsborough, North Carolina, June 10, 1871.—Received at Washington, D. C., 10.30 a. m.]

"To J. R. FRENCH, *Sergeant-at-Arms United States Senate* :

"It is almost impossible for me to leave home without a sacrifice much too great for one in as reduced circumstances as I am. I am in the midst of my little harvest and

have no one to attend to it, and am entirely dependent upon it. Would like to know if my services could not be dispensed with. My movements will depend on the answer to this.

"F. N. STRUDWICK."

"JUNE 10, 1871.

"To F. N. STRUDWICK, *Hillsborough, North Carolina* :

"The committee require your attendance, but take a day or two to enable you to leave your business without loss; report what day you will appear.

"JOHN R. FRENCH."

"HILLSBOROUGH, NORTH CAROLINA, June 12, 1871.

"To JOHN R. FRENCH, *Sergeant-at-Arms, United States Senate* :

"Will leave Hillsborough to-night for Washington.

"F. N. STRUDWICK."

[Dated Hillsborough, June 13, 1871.—Received at North Carolina, 1.10 p. m.]

"To JOHN R. FRENCH, *Sergeant-at-Arms, United States Senate* :

"I was unavoidably detained last night; will leave to-night.

"F. N. STRUDWICK."

[Dated Hillsborough, June 14, 1871.—Received at North Carolina, 11 a. m.]

"To JOHN R. FRENCH, *Sergeant-at-Arms* :

"Was to have left last night, but my stacked wheat blown down, and will be detained a day or two; will telegraph when I will leave.

"F. N. STRUDWICK."

[Dated Hillsborough, June 19, 1871.—Received at 12.45 p. m.]

"To J. R. FRENCH, *Sergeant-at-Arms* :

"When will I be needed in Washington? I can go on some time this week. Please let me know.

"F. N. STRUDWICK."

"JUNE 19, 1871.

"To F. N. STRUDWICK, *Hillsborough, North Carolina* :

"Any day this week will answer; but by Saturday certainly.

"JOHN R. FRENCH,

"*Sergeant-at-Arms United States Senate.*"

"EBBITT HOUSE, *Washington, D. C.*, June 24, 1871.

"MY DEAR SIR: I reached this place to-day and am now subject to your order. Please to dispose of me as quickly as may be, and oblige,

"Yours, respectfully,

"F. N. STRUDWICK.

"MR. JOHN R. FRENCH,

"*Sergeant-at-Arms United States Senate.*"

When the committee called for Mr. Strudwick, I sent a messenger to the Ebbitt House, and he returned with the information that Mr. Strudwick had paid his bill and left. Afterward, by direction of the committee, a subpoena was served on him by the marshal there. After which the following telegrams will show what was done :

[Dated Hillsborough, July 13, 1871.—Received at North Carolina 1.15 p. m.]

"To Hon. LUKE P. POLLARD,

"*Chairman of the Select Committee to inquire into the*

"*conditions of States lately in insurrection :*

"I had just received a summons over your name, commanding me to appear before your committee, at their room in Capitol, in Washington City, D. C., on the 14th, (to-morrow,) at 12 o'clock. This is now impossible, as I could not possibly reach the city by that time allowing only a few hours to make the necessary arrangements. I have been confined to the house ever since my return from Washington, and am not now well enough to make the journey; if you will have the kindness excuse me for a week or ten days, I will then hold myself ready to obey instantly your summons by telegraph. I have already obeyed one such summons and waited in Washington nearly an entire week, and was compelled to leave the city. Please answer.

"F. N. STRUDWICK."

"JULY 13, 1871.

"To F. N. STRUDWICK, Esq., *Hillsborough, North Carolina* :

"Dispatch received by committee; they excuse you until the twentieth; desire your attendance that day without fail.

"JNO. R. FRENCH,
" *Sergeant-at-Arms United States Senate.*"

[Dated Hillsboro, N. C., July 19, 1871.—Received at 4.25.]

"To J. R. FRENCH, *Sergeant-at-Arms* :

"We, the subscribers, physicians in this town, after full investigation of Mr. F. N. Strudwick, are of the opinion that he cannot with any propriety obey the summons to appear before your honorable body on the twentieth instant, and would request that further time be allowed him.

"PRIDE JONES, M. D.
"WM. CAMERON, M. D."

I was also directed to call Mr. John Manning, jr., and Mr. D. Schenck, of North Carolina. From them I have received the following letters :

"PITTSBORO, NORTH CAROLINA, *July 24, 1871.*

"MY DEAR SIR: I received your telegram dated Washington, July 19, on yesterday, informing me that 'I am wanted forthwith as a witness by congressional committee investigating condition of Southern States.' I am not nearer a telegraph office than forty miles, and must therefore reply by letter. It is impossible for me, without great loss and inconvenience, to leave here for Washington before the 5th day of August. If this will be allowed me I shall be very thankful; but if not, let me know and I will come right on.

"Yours, very respectfully,

"JOHN MANNING, JR.

"Hon. JNO. R. FRENCH,

" *Sergeant-at-Arms United States Senate, Washington, D. C.*"

"LINCOLNTON, NORTH CAROLINA, *July 24, 1871.*

"DEAR SIR: Your telegram of the 12th, stating that I was wanted by the congressional committee on the 19th, and your telegram of the 19th inquiring if the first was received, both reached here on Saturday last, the 22d. I have received no summons from any one further than these telegrams. In the last you inquired when 'I may be expected?'

I cannot come this week, as I have to attend superior court at Charlotte, and Monday week have to be at Newton, attending superior court, and I cannot therefore attend until after that time without great sacrifice to my professional interests and great inconvenience.

"Yours, &c., &c.,

"D. SCHENCK.

"JOHN R. FRENCH, Esq.,

" *Sergeant-at-Arms, &c., &c.*"

TESTIMONY TAKEN BY THE SUB-COMMITTEE.

FLORIDA.

JACKSONVILLE, FLORIDA, November 10, 1871.

SAMUEL TUTSON (colored) sworn and examined.

By the CHAIRMAN:

Question. What is your age, where were you born, and where do you now live?

Answer. As near as I can come at it, I am between fifty-three and fifty-four years old; I was born in Virginia, and I now live in Clay County, seven miles from Waldo, on the Santa Fé.

Question. How long have you lived there?

Answer. I left there this year; since May.

Question. Where did you live before that?

Answer. On Number Eleven Pond, in Clay County.

Question. Are there any people in your county that they call Ku-Klux?

Answer. They called themselves Ku-Klux that whipped me that night.

Question. What night was that?

Answer. I do not know hardly what night it was; but they whipped me like the mischief.

Question. What month was it?

Answer. It was in May.

Question. How many were there?

Answer. There were nine; five swung on to me, and four to my wife.

Question. At what time in the day or night was it?

Answer. It was between midnight and day.

Question. Were they disguised; and if so, how were they disguised?

Answer. They blacked their hands and blacked their faces.

Question. Was there any change made in their clothing?

Answer. No, sir; one came in in his shirt-sleeves, but all the rest had on their coats.

Question. Tell us what they did when they came, and all that was done.

Answer. They came to my house, and my dog barked a time or two, and I went out and could see nobody; my wife went out and could see nobody at all; we had not more than got into the house and got into bed, when they came and flung themselves against the door, and it broke loose on both sides, and fell right into the middle of the floor; my wife said, "Who's that?" Then George McCrea made to her, and I made to her to help her; as I did so, some one standing by the door caught me by my right arm, and I could not get to her; they pulled and pulled, and tried to pull me away, but they could not, and then they dragged my feet from under me and flung me down across a cellar-door and near broke my back; they dragged me over the fence, and broke down five or six panels, and took me away down the hill on the side of a hammock, and tied me to a pine and whipped me.

Question. How many lashes did they give you?

Answer. It is out of my power to tell you.

Question. How many of them struck you?

Answer. Well, they blindfolded me for a time; Dave Donley struck me over the eye before I got to the place where they tied me, and they stamped on me and kicked me; he was the first one who whipped me after I was tied, and Bob Lane was the next one who struck me.

Question. How many licks did they strike you?

Answer. I cannot tell you; they hit me a whole parcel of times.

Question. Who struck you?

Answer. Cabell Winn struck me with a pistol and choked me, and ran my head up against the tree, and told me that if it was not for sin, he would blow my "God-damned brains out." He said that I pulled down my fence, and let people's stock in my fields, and killed them. I said, "You can't prove it." He said he could prove it on my "God-damned back."

Question. Who else struck you?

Answer. All struck me; but the rest I did not see, for I was blindfolded when the

rest struck me. When they ran my head up against the tree, I could see Bob Lane, and Dave Donley, and Cabell Winn.

Question. Did they blindfold you before they began to whip you?

Answer. Yes, sir; and they stripped me just as naked as your hand; they took every rag off of me, and took my shirt and tore it up, and took a piece and blindfolded me, and then took another piece and twisted it up, and put it into my mouth, like a bridle-bit, so that I could not holler.

Question. Were you standing up?

Answer. All the time.

Question. Did they tie you to anything?

Answer. They made me hug a tree and tied my hands together.

Question. When they got through whipping you, what did they do?

Answer. They went and tore down my house, and said that they were going to whip us as long as they wanted to; and then they were going to tie us up by the thumbs and let us hang awhile; and then hang us by the neck until we were dead; and then fling us into Number Eleven Pond.

Question. Did they untie you when they were done whipping you?

Answer. They did not untie me when they got done their whipping, but I got loose while they were tearing down my house. Two of them staid there, and the rest went to the house, and when my wife broke loose, they ran to her, and I got clear.

Question. Who whipped your wife?

Answer. All of them; she can tell you about that more than I can.

Question. How far from the house did they take you to whip you?

Answer. As near as I can come at it, it was about a quarter of a mile.

Question. What did they whip you for—what did they have against you?

Answer. Because I would not give up my land to Mr. Winn. I bought a man's improvements, a man by the name of Free Thompson. Mr. Tire and Mr. Thompson were first cousins. After Thompson was gone with my money that I let him have for his improvements, Tire came there and said that it was his land. I asked him why he did not let me know when I first came there, and he said he wanted me to do a heap of work there before he bothered me. I said, "Are you going to give me anything at all for what I gave for the land?" He said, "No." I said, "Are you going to give me anything for the crop in the ground?" He said, "No." I said, "Are you going to give me anything at all for the improvements I have put on?" He said, "No." Then I said, "Is there any law here for kinky heads?" He said, "Yes, there is." I said, "No, there isn't." He said, "Yes; there is as much law for you as for me." I said, "Then, if there is any law for kinky heads, I will find it." He tried a right smart while to get me away, and I would not go; and Mr. Winn took it to get me away from there.

Question. What did they do with your things that were in the house?

Answer. They left them there. I went to Mr. Buddington, to let him know what they did. He sent me to Mr. Kennedy, and told me that if Mr. Kennedy did not serve the writ, to come back to him. A little boy living at Mr. Kennedy's was there at Mr. Buddington's, and he went home and told Mr. Kennedy, and he served the writ.

Question. Did you hear Winn say what he would do if anybody went up there from Jacksonville to help you?

Answer. I did not hear him say it myself, but I heard it here this week.

Question. What was it?

Answer. It was that if any body should go from here up there, he should not get back any more. I did not hear him say so, for he is not here: but I heard that he sent that word down here.

Question. When did you come to Jacksonville?

Answer. I think last Thursday week.

Question. Did you leave your land when they pulled your house down and whipped you?

Answer. I left my land; but Mr. Buddington told me to go and have my house done up strong and good, and if anybody come there, to kill them. I said I was afraid to stay there. He told me to work there in the daytime, and go to my neighbors at night. My neighbors were too far off, and I quit there altogether.

Question. Who has the land now?

Answer. I have the land, but nobody is living on it. I have the title to it in town now.

Question. Where does Mr. Winn live?

Answer. About a mile and a half or two miles from where I lived there.

Question. How much money did you give for the land?

Answer. I gave cotton enough to come to \$150, and then I homesteaded 160 acres.

Question. You had some things in the house, had you not?

Answer. Yes, sir; some little.

Question. What did they do with them?

Answer. Nothing at all; it is all there now. I have not been there since, except that

I went on by there to go to Mr. Buddington's, and somebody, I do not know who, some of the same party, I suppose, had pulled the fence down in two places, and the cattle had gone in there and ate all my crop.

Question. What were your crops?

Answer. I reckon I had cotton enough to come to about a bag and a half, and besides right smart corn and potatoes. I left that place and went about seven miles from Santa Fé with Mr. Owen Swindell.

Question. Did they disturb you there?

Answer. No, sir; only John Hagan came there and talked with Mr. Swindell, and said that he had not seen me since I went to Mr. Buddington, but if he ever got close to me, he intended to hurt me.

Question. Hagan was one of the men who were along at the time you were whipped?

Answer. Yes, sir. Owen Swindell was his uncle.

By Mr. BAYARD:

Question. In what county did these things happen?

Answer. In Clay County, at Number Eleven Pond.

Question. When was it?

Answer. Last May.

Question. How long had you been in Clay County?

Answer. I had been living there three years.

Question. On this same land?

Answer. Yes, sir; but I did not work much on the land; I made one crop there before.

Question. Whom did you work for?

Answer. Mr. Winn, pretty near all the time.

Question. What is his first name?

Answer. Jack Winn.

Question. How far from you did he live?

Answer. As near as I can get at it, about two miles.

Question. From whom did you buy that land?

Answer. A man by the name of Free Thompson.

Question. Is he a white man?

Answer. Yes, sir.

Question. You gave cotton amounting to \$150?

Answer. Yes, sir.

Question. And after that Winn claimed it as his own land?

Answer. No, sir; he had a little piece of land right by it, and he offered to sell me his land. Mr. Isaac Tire had land there, too, but it was of no account. It was considered that my land was the best on Number Eleven Pond, and he wanted to say that my land was his and his land was mine, and he tried to get me away from there all he could.

Question. Did he ever sue you in the courts?

Answer. No, sir; he talked about it.

Question. How many acres had you?

Answer. In all?

Question. Yes.

Answer. I homesteaded 160 acres.

Question. You did that under the United States law?

Answer. Yes, sir.

Question. How much did you buy?

Answer. Not more than about three acres, hardly that.

Question. That was all the good land this man claimed?

Answer. Yes, sir. That piece of land had got about seven or eight acres of hammock on it, and it was the only hammock land anywhere close by.

Question. This man who owned land next to yourself claimed that you bought property that belonged to him?

Answer. Yes, sir; that was Isaac Tire; he and Free Thompson were first cousins. He said that it was his land, and that Free Thompson had sold his land to me, and he wanted me to give it up. I asked him if he was going to pay me anything for what I gave for it, and he said no.

Question. What was it they said about your pulling down fences and killing stock?

Answer. Cabell Winn said that; I was tied then around the tree. He said, "God damn you, you pull down your fences and drive people's stock in there and kill them." I said, "Can you prove it?" He said, "I will prove it on your God-damned back."

Question. Did you shoot anybody's stock?

Answer. No, sir; I have got to do that yet.

Question. You never killed any stock that were on your land?

Answer. No, sir.

Question. After you were whipped, to whom did you make your first complaint?

Answer. To Mr. Buddington.

Question. Who is he ?

Answer. He is head over Clay County ; he rules it, so they tell me.

Question. What office did he hold ?

Answer. I do not know exactly.

Question. What did he do to you ?

Answer. He sent me to Mr. Kennedy.

Question. Who is Mr. Kennedy ?

Answer. He is a magistrate.

Question. In that county ?

Answer. Yes, sir.

Question. What did he do ?

Answer. He took all the names down and gave them to my son Henry, and he took them to the sheriff.

Question. Did you make oath to this before the magistrate ?

Answer. Do you mean like I made here a while ago ?

Question. Yes.

Answer. Yes, sir.

Question. And then you gave him these names ?

Answer. Yes, sir.

Question. You know who those three men who whipped you were ?

Answer. Yes, sir.

Question. Did you know the rest ?

Answer. I know them all, every one.

Question. When the sheriff got the names, what did he do ?

Answer. The high sheriff took George McCrea away from the deputy sheriff's place, and put his daddy there, and then they arrested these nine men ; so the old man told me.

Question. Did they take them up ?

Answer. They did not take them up at all.

Question. Did they arrest them ?

Answer. Yes, sir.

Question. What did they do ?

Answer. They let them stay as they were.

Question. Do you know whether they made them give bond ?

Answer. No, sir.

Question. Do you know what that means ?

Answer. No, sir.

Question. Do you know anything about giving bail ?

Answer. No, sir.

Question. You do not know what they did to enable them to go free ?

Answer. No, sir ; they did not take them up.

Question. What did they do ?

Answer. He told me he had been around and shook hands with them all, and that was the way he got up with them.

Question. Do you recollect the name of the man who told you that ?

Answer. His name is at my tongue's end, but I cannot call it now ; but my wife knows.

Question. You do not know his name ?

Answer. I know his name, but I cannot call it now.

Question. This was in May last ?

Answer. Yes, sir.

Question. How long after you were so abused did they arrest those men ; how long was it after that that the sheriff told you he had got up with them by shaking hands with them ?

Answer. It was mighty near a month.

Question. Have you been back there again since that time ?

Answer. To the land, do you mean ?

Question. In that county to see the sheriff ?

Answer. No, sir ; I saw the sheriff at Green Cove Spring.

Question. What did he say ?

Answer. He did not say anything to me about the land at all.

Question. Have you done anything further to prosecute those nine men ?

Answer. I went to the Spring, where they told me there was a United States lawyer ; Mr. Buddington sent word for me to meet him there at his court, but his court was over a week or two before I got there, before I got the word.

Question. You did not get there in time ?

Answer. No, sir ; I did not get the word in time ; and when I did get there, Mr. Buddington was gone ; the United States lawyer was there, and I inquired for the lawyer and they told me that he was down taking a bath, and what sort of a man he was, and that I would see him at the gate when he came out. I stood at the spring gate, and

when some men came by I said: "Isn't one of you gentlemen a United States lawyer?" He asked what I wanted, and I said I had a paper that I wanted him to look at.

Question. What paper?

Answer. The paper about my land; he looked at it, and told me he was going to breakfast, and that I must come up into the court-house after breakfast and see him; I told him what they had been doing to me, and he said they had no occasion to beat me; after a right smart while in the day I saw him again.

Question. What did he do?

Answer. He took all the names down, and put them in his pocket, and I have not seen them since.

Question. Did he swear you again?

Answer. Yes, sir; up in the court.

Question. He swore you as this gentleman [pointing to the chairman] swore you just now?

Answer. Yes, sir.

Question. What else did he do?

Answer. I do not recollect of his doing anything else.

Question. Did he tell you to stay there?

Answer. No, sir.

Question. Did he tell you when to come there again?

Answer. No, sir.

Question. What is his name?

Answer. I do not know; I never saw him before that I know of.

Question. He represents the United States in that place?

Answer. He put the papers in his pocket, and I do not know what he was going to do; but Mr. Murray came up and subpoenaed me to come down here.

Question. How long ago was it that you saw this United States lawyer at the Spring, and went into the court-house and was sworn before him?

Answer. It has been about three weeks ago; maybe a little longer.

Question. He has the case in hand for you?

Answer. That lawyer? Yes; he fetched the papers here, I suppose.

Question. He has a list of the names of the men who abused you?

Answer. Yes, sir.

Question. Did he promise you he would get you redress?

Answer. No, sir; he did not promise anything.

Question. That was about three weeks ago?

Answer. About that; as near as I can come at it.

Question. What did you come over here for?

Answer. Mr. Murray came for me.

Question. Who is he?

Answer. He is the United States sheriff here, I suppose.

Question. They call him marshal, do they?

Answer. Yes, sir.

Question. Did he show you any paper when he came, or tell you to come here?

Answer. He gave me a paper, and one to my wife.

Question. How long ago was that?

Answer. I think it was week before last; I have been here now going on two weeks.

Question. Have you been before the court here?

Answer. Yes, sir; they had me in two of these places.

Question. Did you make an oath to what you are telling us now, before different officers?

Answer. Yes, sir.

Question. You first made oath before the magistrate, and told him the facts?

Answer. Yes, sir.

Question. And then you have done it in two or three places here in Jacksonville?

Answer. Yes, sir.

Question. And now you are giving the same facts to this committee?

Answer. Yes, sir, as near as I can get at them.

Question. Who is the judge of your county, Clay County?

Answer. Mr. Buddington, they call Judge Buddington, and Captain Buddington.

Question. He told you to fasten your house up stronger and shoot these fellows if they disturbed you?

Answer. Yes, sir.

Question. How far from you does he live?

Answer. Near about twenty or thirty miles.

Question. Have you many neighbors down there?

Answer. Mr. Winn is the nearest neighbor; I have no black neighbors within four miles of me. And this lawyer told me the same, if anybody bothered me to kill them.

Question. To defend yourself in your house?

Answer. Yes, sir.

Question. Were you ever at an election in Clay County?

Answer. No, sir; not in Clay County.

Question. You never were at an election in that county?

Answer. No, sir.

Question. Are there most black people or white people there?

Answer. There are most white people; there are not more than two or three black families, to my knowing, in the county.

Question. They are generally white?

Answer. Yes, sir.

Question. When you asked a man about a kinky-head getting justice, who told you that you could get the same justice there as anybody else?

Answer. Mr. Isaac Tire.

Question. What relation is he to the man you bought the land from?

Answer. First cousin.

Question. He said that you could get justice in the courts for your own land the same as any white man could?

Answer. Yes, sir; he said I had as much law as they had. I told him if there was any law for kinky-heads, I would find it.

JACKSONVILLE, FLORIDA, November 10, 1871.

HANNAH TUTSON (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, and where you now live?

Answer. As near as I can tell I am about forty-two or forty-three years old. I was born in Gadsden, Florida, and I now live in Clay County, near Waldo, on old Number Eleven Pond.

Question. Are you the wife of Samuel Tutson?

Answer. Yes, sir.

Question. Were you at home when he was whipped last spring?

Answer. Yes; sir, I was at home.

Question. Tell us what took place then, what was done, and how it was done.

Answer. When they came to my house that night the dog barked twice, and the old man got up and went out of doors and then came back and lay down; she flew out again, and I got up and went out of doors; I knew the slut barked more than usual, but I could see nothing; I went back into the house, and just as I got into bed five men bulged right against the door, and it fell right in the middle of the floor, and they fell down. George McCrea was the first who got up. I had no chimney in the house, but a board floor, and he went where I had left all the children; went circling around toward the children's bed, and I said "Who's that?" The old man had not spoke. George McCrea ran right to me and gathered me by the arm. As I saw him coming, I took up the child—the baby—and held to him. The old man threw his arms round my neck and held on to me. Cabell Winn caught hold of my foot, and then there were so many hold of me I cannot tell who they were. George McCrea and Cabell Winn were the first to take hold of me. He said, "Come in, True-Klux." I started to scream, and George McCrea caught me right by the throat and choked me. I worried around and around, and he caught the little child by the foot and slinged it out of my arms. I screamed again, and he gathered me again. Then there were so many hold of me that they got me out of doors. After they got me out, I looked up and I saw Jim Phillips, George McCrea, and Henry Baxter. I looked ahead of me and they had the old man; and they tore down the fence the same as if you saw people dragging hogs from the butcher-pen. And they went to another corner of the fence and jerked me over, just as if you were jerking a dumb beast. The old man was ahead of me, and I saw Dave Donley stamp on him. I said "Sam, give up; it is not worth while to try to do anything; they will try to kill us here." They said, "O, God damn you, we will kill you." I said, "I will go with you." George McCrea said, "Come right along." I said, "Yes, I am coming; I will come right along." After they carried me about a quarter of a mile from the house—may be a little more; I cannot tell exactly how far it was; it was a good distance from the house—they took me through a path to a field, and down to the lower end of the field. When they got there he said, "Come here, True-Klux." The True-Klux came there and stopped and whispered about as far as from here to this gentleman, [pointing to a member of the committee sitting at the table.] Then he said, "Now, old lady, you pretend to be a good Christian; you had better pray right off." I cast my eye up to the elements and begged God to help me. George McCrea struck me over the head with a pistol, and said, "God damn you, what are you making this fuss for?" I said,

"No." He said, "Where is the ropes?" They said they had lost the ropes. Now, I never saw any horses; I did not see any that night. They went off next to my field and came back with a handful of saddle-girths, with the buckles on them. They took and carried me to a pine, just as large as I could get my arms around, and then they tied my hands there. They pulled off all my linen, tore it up so that I did not have a piece of rag on me as big as my hand. They tied me, and I said, "Men, what are you going to do with me?" They said, "God damn you, we will show you; you are living on another man's premises." I said, "No; I am living on my own premises; I gave \$150 for it, and Captain Buddington and Mr. Mundy told me to stay here." He said, "God damn you, we will give them the same we are going to give you." I quit talking to them, only as they asked me anything. They tied me to a tree and whipped me for awhile. Then George McCrea would say, "Come here, True-Klux." Then the True-Klux would come, and they would step off about as far as that gentleman and whisper; and then they would say that they would go off to where the saddles were. They would go, and then when they came back they would whip me again. Every time they would go off, George McCrea would act scandalously and ridiculously toward me, and treat me shamefully. When he saw them coming again he would make me get up. He would make me squat down by the pine, and say, "What are you trembling for?" I would say that I was cold, and was afraid that I would freeze. He would get his knees between my legs and say, "God damn you, open your legs." I tell you, men, that he did act ridiculously and shamefully, that same George McCrea. He sat down there and said, "Old lady, if you don't let me have to do with you, I will kill you." I said, "No; do just what you are going to do." He said, "God damn you, I am going to kill you." They whipped me, and went off again to the horses, and got liquor of some kind and poured it on my head, and I smelled it for three weeks, so that it made me sick. They went off and whispered, and then he told them to go to my house and tear it down. He asked me where was my ox. It was in the field, but I would not tell him; I said that my son-in-law had got my cart. He said, "Where is your son-in-law?" I said, "He has gone to Palatka." He said, "Where is your ox?" I would not tell him. He would whisper to them, and tell them to go and get the ox, and to get my things and start them off to-night. He said, "Let's start them right off to-night." They would go and hunt, and then come back. He would make me sit down while they were gone. Understand me, men, while they were gone to hunt for that ox, George McCrea would make me sit down there, and try to have me do with him right there. They came back and whipped me. I said, "Yes, men, if you will stop whipping me, I will give way to you." Gentlemen, you do not know what expressions Cabell Winn made out of his mouth. It was all smutty on their faces, only right from the ear down, and their hands were smutty. Some were in their shirt-sleeves, and some had coats on. I had been working with them very nearly three years. You know that when any person gets about half drunk, he cannot alter his voice but what you can tell him. I have been working and washing for them; I had not been two weeks from his mother's house, where I had been washing; I washed there every week. That is the way they did me; they came back and whipped me. George McCrea said, "I came to dispossess you of this place once before." There were four men whipping me at once.

Question. With what?

Answer. With saddle-girths, as I told you; with surcingles off the saddles. George McCrea said, "We came to dispossess you once before, and you said you did not care if we did whip you." I said, "Stop, men, and let me see." One of them said, "Stop, and let her get her breath." Mr. Winn talked all kind of nasty talk to me. I got so I did not count Mr. Winn more than he counted me. I told Mr. Winn just exactly three weeks before they whipped me that I did not care what they did for me just so I saved my land. Said I, "In the red times, how many times have they took me and turned my clothes over my head and whipped me? I do not care what they do to me now if I can only save my land." He again asked me if I said that, and I said, "Stop; I will see." After a minute I said, "Yes, I did say so." Cabell Winn says, "Yes, you damned bitch, you did say so." I did not tell anybody but Cabell Winn and his daddy, for my husband was gone. The night they came to whip me they did not expect to find the old man there, and when they found he had hold of me as they were carrying me to the door, he says, "Oh, God damn you, are you here?" And the time they were whipping me they said, "Now, listen, God damn you, at that poor old man; you were a God damned old bitch to get the poor old man in this fix; listen at him, you damned old bitch." I would have told this just the way you hear me tell it now before the others, but they stopped me.

Question. How many lashes did they give you in all?

Answer. I cannot tell you, for they whipped me from the crown of my head to the soles of my feet. I was just raw. The blood oozed out through my frock all around my waist, clean through, when I got to Captain Buddington's. After I got away from them that night I ran to my house. My house was torn down. I went in and felt where my bed was. It was along in the middle of the floor. I went to the other cor-

ner of the house and felt for my little children. I could not see one, and the bed was hoisted up in the corner of the house and hitched there, and is there now. I could not feel my little children and I could not see them. I said, "Lord, my little children are dead." I went to the box of my things and I picked up a dress I had there, but I went five miles before I put it on my back. When I got near one of my neighbor's house I hollered "murder," and they heard me, and they said they heard horses' feet go by. I did hear horses myself, and I hollered, for I was afraid. I cannot read, and I have got no clock, but as near as I can get to it, I got away from them an hour to day, and I went twelve miles by sunrise after I got away from them. I went through to Mr. Montgomery's house. I could not bear my clothes fastened on me. I told them to give me a light as quick as they could so that I might go back and hunt up my children. I have two grown sons and a daughter, who are married and gone off. I said, "Give me a light; I expect my husband is dead, and I want to go back and find my children." I went back again, and I heard him holler, but I could hear nothing of my children. They said, "Go by Mr. Ashley's and get him to ride up there." I went by Mr. Ashley's, and went in there. I turned up my clothes, and let Mr. Ashley see how I was whipped. I had on nothing but a frock, and I could not fasten it. He said, "Woman, go back home and hunt for your husband and children. If he is dead, don't stand to bury him, but go right on to Whitesville." I told him I did not know how to go there. He said, "If you have not been it is right enough to hunt up your boys, and let them go with you; if your husband is dead don't stand to bury him."

Question. Did you find your children?

Answer. I did next day at 12 o'clock.

Question. Where were they?

Answer. They were there at my house, where the true-klux had whipped me. Their father lay out to the middle of the night, and my children lay out there too. They said that when they got away from me they went out into the field, and my little daughter said that as the baby cried she would reach out and pick some gooseberries and put them in its little mouth. When she could hear none of them any more she went up into the field to a log heap and staid there with her brother and the baby. At daylight the old man came by a little house I had been living in, and which I used to keep some corn and things in, and they had torn it down, and the hogs had been in there eating up what corn and little stuff I had there.

Question. How old were your children?

Answer. One was about five years old, another betwixt nine and ten, and the other was not quite a year old, lacking two months.

Question. That was the one you had in your arms when they jerked it away?

Answer. Yes, sir.

Question. Did the baby get hurt?

Answer. Yes, sir; in one of its hips. When it began to walk one of its hips was very bad, and every time you would stand it up it would scream. But I rubbed it and rubbed it, and it looks like it was outgrowing it now.

Question. How soon did you see your husband?

Answer. Only when I saw my children. He was whipped so bad he could not travel as I did; he staid at home. When I got back there Mr. Chesnut, a white gentleman, had him there, and he and Mr. Chesnut were sitting there talking.

Question. Did you see where he had been whipped?

Answer. Yes, sir; he could not sit up.

Question. Where had he been whipped, on what part of his body?

Answer. All over it; his legs were whipped more than anywhere else. They did not begin to whip me as they did him. When I came Mr. Chesnut was there, and unfastening my frock, my daughter gave me some linen to put on, and Mr. Chesnut looked at me where I was whipped. I went by Mr. Rohan Wall's and let him look at me once. But they stand to it to-day, until yet, that that land is not mine; they say it is Tire's. Mr. Winn coaxed me and begged me to give it up before they whipped me.

Question. He wanted to make you give up the land?

Answer. Yes, sir; they came there about three weeks before they whipped me to dispossess me of the place.

Question. Who came there before?

Answer. George McCrea, and old Mr. Sullivan, and Dave Donley, and Mr. Hagan, and Jake Winn. Mr. Byrd Sullivan came on Saturday. I spoke to them very rash, and I was sort of sorry I spoke to them in that way. Mr. Hagan came back and wanted to give me some advice. He told me it was Judge Buddington and Barney Crocker. I said I did not believe it, because they told me that this was my land, and not Tire's land. Tire was the first one who made out that he entered my land. I said, "I am going to die on this land." Hagan said, "You better give it up." Mrs. Lane sent for me to come and wash for her one day in a week, to scour and wash, any day in the week I felt like it. They made me mad Saturday about driving me from my place, and I would not go to Mrs. Lane's the first of the week. I had to go through Jake Winn's yard to go to her house. My son was working there, and I went in and saw

Mrs. Winn and told her good morning. She says, "Hannah, I thought you were gone." I said, "Gone where?" She said, "Off the place." I said, "No, I am not going off the place; didn't Captain Buddington tell me to stay here? I am not going; no law is going to move me from here except Tallahassee law." I said, "What are they going to do to me, Mrs. Hagan?" She said, "They are going to whip you." I said, "I wish they would whip me," and then I went off. I told Mrs. Lane about it, and she said, "I have nothing to do with it; it is your land; you ought to have your land." She went and told Mr. Byrd Sullivan. He pretended to be courting of her then; she told him what I had to say. That was on Wednesday. On Friday while I was eating my breakfast, with nobody there but me and my little children, Byrd Sullivan came to my house with Jake Winn and Dave Donley and George McCrea. They went into the field and let down the fence; the old man was gone to the hammock. Old Byrd Sullivan came up to the house and said: "Auntie, these people are devilish people; they are determined to put you off this land. Now, pay good attention to what I say. When you get your hand into a lion's mouth you pull it out just as easy as you can. Pay good attention to me. I would like to see your old man this morning, but he is not at home. You can tell your old man to give it up, or in a month's time, or such a matter, they will come here, and the lot will push him out of doors and let you eat this green grass." I began to cry, and he said, "You will stop this grieving and crying; tell your old man to keep on writing; I know what you paid for this land; you gave cotton for it." I said, "Yes; I gave cotton enough to come to \$150." He said, "Tell your old man to keep on writing, and when he gets the papers for his land let him come to me and he will have his land back." I said, "Mr. Ashly, Mr. Rohan and Mr. Swindell told me not to give it up; that if I let anybody else come on the land I could not get it back."

Question. How long had you been living there?"

Answer. Nearly three years.

Question. How many crops had you made?

Answer. Two crops.

Question. And this crop would have been the third?

Answer. Yes, sir.

Question. You spoke about some of them "wanting to do with you," as you expressed it.

Answer. Yes, sir.

Question. What one was that?

Answer. George McCrea.

Question. Did you give way to him?

Answer. No, sir; George McCrea acted so bad, and I was stark naked. I tell you, men, he pulled my womb down so that sometimes now I can hardly walk.

By Mr. BAYARD:

Question. Who is George McCrea; where does he live?

Answer. His father and mother live in Stark County.

Question. In what county did this happen?

Answer. In Clay County, on old Number Eleven pond.

Question. What county does this George McCrea himself live in?

Answer. He stays in Clay County, but his father and mother live in Stark County.

Question. What does he follow for a living?

Answer. I do not know what he is following for a living now; he was a deputy sheriff when he came and whipped me.

Question. Did you go with your husband to the court-house when he made the complaint before the United States lawyer?

Answer. Yes, sir.

Question. Where was that?

Answer. At Whitesville.

Question. That is in Clay County?

Answer. Yes, sir.

Question. Do you know that lawyer's name?

Answer. There was nobody there but Mr. Kennedy.

Question. Was there a court-house in that town?

Answer. Yes, sir; but it was tried through a magistrate's court; that is all the court it has been tried through yet.

Question. Did you tell him what you have said to us?

Answer. Yes, sir.

Question. Just exactly what you have told here about this man McCrea?

Answer. Yes, sir.

Question. Did they get out a writ for him?

Answer. They got out a writ for him, and they served it; but when they served it it did not go like I had said it when I came to court again; there was a difference. Mr. Winn gave bond for every one of the men.

Question. How many did they get of them?

Answer. They had all three.

Question. They had them arrested and brought up?

Answer. Yes, sir.

Question. And made to give bonds?

Answer. No, sir; they did not give bonds at all.

Question. Did Mr. Winn give bonds?

Answer. He did at home. When George McCrea did this act they took the sheriff's business away from him, and gave it to old Mr. Byrd Sullivan. Mr. Sullivan came to Mr. Winn; you know that he and Mr. Winn are great friends. He did not take these men and carry them away.

Question. He took the bonds out there at Mr. Winn's?

Answer. Yes, sir.

Question. Do you know how much the bonds were?

Answer. No, sir.

Question. Did you go to court again?

Answer. I have not been at any court. They tried their best to run me out of the State. I came down about four weeks ago to the spring, and I put it out there at the circuit court. Four days after I got home they came for me to come down here.

Question. They had you there in the circuit court?

Answer. Yes, sir.

Question. What did you do there?

Answer. I said that Henry Brassel choked me, and the old man said that he whipped me, and they said that was what cast us.

Question. Did you make these statements at the spring before the circuit court?

Answer. No, sir; the old man went there and made a statement.

Question. What lawyer did you see there?

Answer. I cannot tell you.

Question. You saw a lawyer there?

Answer. I did not go into the court-house.

Question. Did you go into anybody's office and give testimony?

Answer. No, sir. My old man went to the court-house and saw a lawyer, and he put the names down; and then I was summoned here three weeks ago, and they had a trial here.

Question. What did you do after you got here about that trial?

Answer. I told the same testimony.

Question. To whom did you tell it?

Answer. I cannot tell you; there are so many people here that I cannot tell them.

Question. Were they United States officials?

Answer. I do not know who they were.

Question. Were they persons to whom you were directed to tell your story?

Answer. Yes, sir; there was a gentleman who sent for me.

Question. Was he a United States marshal?

Answer. Yes, sir; I think so.

Question. Was there any suit by this man who claimed your land; did he ever go into court there against you?

Answer. No, sir.

Question. You never had a lawsuit about the land?

Answer. No, sir.

Question. You said that at one time they came to dispossess you. Was one of the people who came there then a sheriff of the county?

Answer. I told you that Jesse Hagan—

Question. Did they read any paper to you?

Answer. No, sir; they did not read any paper at all.

Question. They came to tell you that you had better give up the land?

Answer. Yes, sir; they told me it was not my land; that it was another man's; that is all; so they told me the night they whipped me.

Question. When you say your land, you mean you and your husband?

Answer. Yes, sir.

Question. You gave your testimony here about three weeks ago?

Answer. Yes, sir.

Question. You do not know enough about courts to know what was done?

Answer. No, sir; it never has been in court before.

Question. Do you know what has become of McCrea?

Answer. They say that he and Dave Donley, and Jim Phillips, and John Hagan have run off. When they whipped me, Mr. Buddington told me to go back, but I was dubious about going back, for fear they would kill me if I arrested them. I went to John Hagan's uncle and worked with him this year. They talked about prosecuting him for harboring negroes. He told me that if I ever was going to do anything with it in the world, I had better go to Green Cove Spring; he said it was not worth while for me to go, but the old man could go. They said they were going to arrest Mr.

Swindell and his father, both together; they said they knew right smart that could bother him. They came and I staid at home; they came back on Saturday, and said that the old man was nearly dead, and that I had better go down to Green Cove Springs as quick as I could, and that if I ever was going to do anything with it I should put it in then; when I got down there the old man could sit up a little in bed, and I told him to go to the court-house. They said, the State's attorney was in the bathing-house, and if the old man would go soon, he would see him as he came out, and that if he would hand him his papers, that was the way he could get the case in court.

Question. What is the name of the State's attorney?

Answer. I do not know; I never saw him.

Question. The old man gave him his papers?

Answer. Yes, sir; and he told them how hard they had beat him; and he said they had no right to beat him about his own land. They told him to come up to the court-house after a while; no man was there but Mr. Byrd Sullivan, and he said that he must not offend the citizens; that they had come to make friends with us. All the time I ever heard from them they talked about if they ever saw me they would hurt me, and make me go out of the State; and if they could make me stay off the place for twelve months, then it was Dave Donley's land, and I would have to relinquish my claim. Now, I paid too much, and I have worked too much to lose it. I have about fifty or sixty acres tending, and then I have all the hummock under fence.

Question. How much land was it you bought?

Answer. I bought 150 acres, I think.

Question. How much land had you, with this land that was claimed by them?

Answer. They said they had a whole piece run off. Old Mr. Darley said, when he looked at the titles that they had given the old man, and the certificate, and when he had looked at Tire's papers, he was the first man who said he had entered my land; Isaac Tire tried his even best before to put us off the place, and we would not give up the place; then he wanted to rent it to us, and I said I would not rent it from him. Mrs. Winn told me not to give up the place, and that it was not Tire's land; and she said, "Don't let Jakey," (that is her husband) "know what I tell you." I said, "No, I will not;" and I have never called her name about it before to-day, in all my talking, because the woman treated me like a lady. She said, "Don't give up the place; tell Tire that you are going to die on the place, and don't give it up." They worried me for half a year; all the time I was planting my crop they worried me. Donley came and said that he was going to buy it, and I and my old man told him not to buy it.

By the CHAIRMAN:

Question. You said that one man choked you, and that the old man said that he whipped you?

Answer. Yes, sir.

Question. Whom did you say that to?

Answer. I said that before Mr. Kennedy.

Question. What did they do?

Answer. They put me in jail and said that I swore false; they put me in jail about 1 o'clock Saturday evening, and I staid in jail, I reckon, until about 2 o'clock, Sunday.

Question. Where was that?

Answer. In Whitesville.

Question. What did they do with the old man?

Answer. They put him in, too.

Question. What did they put you in jail for?

Answer. They said I swore false doctrine.

Question. Who had you put in jail?

Answer. Jake Winn had us put in jail, and, as far as I recollect, John Sullivan was the man that put us in there; he was the high sheriff.

Question. Who got you out of jail?

Answer. Mr. Bennett paid me out, and he has my ox and cart now; I put it in pawn.

Question. Did that man choke you?

Answer. Yes, sir.

Question. And did he whip you?

Answer. Yes, sir.

Question. He both choked and whipped you?

Answer. Yes, sir.

Question. You have been asked who George McCrea was, and you said something about his father and mother. Have they any property?

Answer. I could not tell you; I do not know anything about that. When they came to my house to dispossess me of the land, George McCrea and Barney McCrea told the old man he would never let the sheriff come there.

Question. You have told us all you know about it?

Answer. Yes, sir, and just as straight as I could tell it. I have told it straighter to-day than I did before, because when we had a trial here the other week they stopped me almost every word, and I missed some I told here to-day.

JACKSONVILLE, FLORIDA, November 10, 1871.

R. W. CONE sworn and examined.

By the CHAIRMAN :

Question. What is your age, where were you born, where do you now live, and what is your occupation?

Answer. I will be thirty-five the 10th day of next month; I was born in Bullock County, Georgia; and I now live in Jacksonville; I am a carpenter by trade.

Question. How long since you have been living in Jacksonville?

Answer. Off and on since 1858. The last time I came here to live was on the 28th or the 29th of June last.

Question. Where had you been living up to that time?

Answer. In Baker County, Florida.

Question. How long had you lived in Baker County?

Answer. From October, 1868, until I came here.

Question. What reason had you for coming here?

Answer. On the night of the 24th of June last, a crowd of men came into my house and took me out and gave me a whipping.

Question. How many men were there?

Answer. From the noise they made when they entered the house, I supposed that some ten or a dozen came into the house; they carried me out a piece from the house, and there some more came up to them, and when they went into the woods, another crowd gathered up there; I suppose there were some eighteen or twenty, or more.

Question. What time of the night was it?

Answer. It was half past 10 o'clock; when I got back to the house I asked my wife what time it was, and she said it was five minutes before 11.

Question. Were those people disguised?

Answer. They had on their common clothes, but they had their faces smutted.

Question. Where were you when they came to your house?

Answer. In my bed.

Question. With your family?

Answer. Yes, sir.

Question. Give us a narrative of what occurred then.

Answer. I went to bed as usual that night, and in the night the hammering on the door woke me up; I hollered out, "Who's that?" and raised up in my bed at the same time; as I raised up, the door came open; these men came in, and when they got into the front room they struck a match, which showed them where the door of the bedroom was; they commenced beating on the door; I do not know with what, and they knocked it in; two men walked in side by side; one had a club in his hand; when he got in reach of me, he struck me lengthwise across my head with the club; the lick was not hard enough to knock me down, but I knew they would strike me again, and I fell, so that I could see who they were that came in. As I fell, they struck my wife with the club, and she fell across me; some more came in, I could not tell who they were. After they knocked my wife down, I said, "For God's sake, let my wife alone; she is not in a fix to be abused; take me, but let her alone." They took hold of me and pulled me to the door. I had on a long night-shirt, and when they got me to the door they turned it over my head, and twisted it up around my head and arms. One took me by the shirt, and another by the legs and arms, and so they pulled me along; my wife started to come after me, and one man turned around and told her that if she came out and made any disturbance he would blow her damned brains out. She stopped at that; she knew the man who made the threat.

Question. Who was he?

Answer. William Tyson; they carried me out a piece, and laid me across a log; one hold of each arm, one hold of my head, and one hold of my feet; then another took what I supposed to be a leather strap, and commenced whipping me.

Question. Was it such a strap as they used to whip negroes with?

Answer. I did not see it, and I do not know positively what it was; but afterwards there were two marks on my side that looked like the print of a buckle, and I thought it was a stirrup-leather that they took off one of their saddles. They told me that I was a witness in the United States court last winter against a white man, and in favor of negroes voting. I said I was not in evidence in any case in court, but that I was on the jury. They said that the jury was as bad or worse than being in evidence, because the jury took negro evidence right straight along in the whole court in preference to white men's evidence. From that they commenced beating me, and beat me a good while. They then asked if I had a negro girl staying with me. I said that my wife had sent and got one to stay with her while she was sick, but that she was not there then. They asked if I did not keep her, and I said no. They gave me ten licks more and then stopped whipping me. They asked me if I knew them, and I said that if they would take my shirt from over my head, I would probably know some of them. They asked me if I would prosecute them, and I said "I reckon not." They asked me if I knew

my way home, and I said I did not. The man who had hold of my head then led me off eight or ten steps, took my shirt down from over my head, took me by the shoulder and turned me towards the house, and said that if I looked back he would kill me, and that if I commenced to prosecute them I would be killed. I intended to prosecute them; so I sold out my little place for what I could get, and came down here; I then reported to the marshal, and he told me to make my complaint to the commissioner, and I did so. The next week they arrested four of them. There were five that I did not know.

Question. How many blows did they strike you in all?

Answer. I cannot tell how many.

Question. Have you any idea whether there were fifty or a hundred, or more?

Answer. I cannot tell how many; they must have struck me a hundred; from my thighs to the back of my neck blood was drawn from the skin all over.

Question. How many different persons struck you?

Answer. I think there was but one who did the whipping.

Question. Do you know who it was?

Answer. He spoke three times while he was whipping me, and from his voice I took him to be Jim Rich.

Question. Who struck you the first blow in your chamber?

Answer. James I. Johnson and Henry Swett came into my house.

Question. Who struck your wife?

Answer. Johnson had the club in his hand.

Question. Had you children?

Answer. Yes, sir.

Question. How many?

Answer. Three.

Question. Where were they?

Answer. There in the room.

Question. How old is your oldest child?

Answer. About eight or nine years old.

Question. And the youngest?

Answer. It was about a year and a half old at that time.

Question. I infer from your language that your wife was pregnant at that time?

Answer. She was.

Question. How far advanced in pregnancy was she?

Answer. She was confined on the 8th of August, and that was on the 24th of June.

Question. I understand that you had been a juror here at Jacksonville in the United States court?

Answer. I had.

Question. Grand or petit juror?

Answer. I was on the petit jury of the district court.

Question. How long previous to this occurrence?

Answer. The court was in session December and January, and this was in June afterwards.

Question. What are your political associations?

Answer. I am a republican.

Question. So far as you know their politics, what were the men engaged in this maltreatment of you?

Answer. They were democrats, all of them, that I know.

Question. Did you ever afterwards go to the place where they whipped you and find it or recognize it?

Answer. I did not.

Question. Was it known in that community that you had been mistreated in this way?

Answer. Yes, sir.

Question. How did the people speak of it?

Answer. I did not speak with but one or two of them about it; they seemed to hate it; they said they had no idea that any one had anything against me.

Question. Where did these people that you recognized live?

Answer. Johnson and Swett live within about two and a half miles of my house; Rich and Tyson live about twelve miles off.

Question. You said that you intended to prosecute them; have you done so?

Answer. I got out a warrant, and there were four of them arrested. One of the party has not been arrested yet.

Question. Where did you get your warrant?

Answer. In the United States court.

Question. Why did you not prosecute them in the State court?

Answer. I had seen an advertisement of the Ku-Klux bill of Congress, and I thought I would be nearer getting justice in the United States court.

Question. Why could you not get justice before the State court?

Answer. This Ku-Klux business, or regulating business, whatever they call it, has been going on here ever since the war, and even before the war, yet I have never seen

anybody get justice in the State courts against them ; they always bring up evidence to clear themselves.

Question. Do you understand that they swear for each other ?

Answer. Yes, sir.

Question. What is your knowledge, or reliable information, of the extent and strength of this Ku-Klux organization in Baker County ?

Answer. I do not know anything of the Klan whatever, only from their talk ; almost every one you talk with out there is in favor of it. I do not know who belongs to it, or who do not, but they nearly all are in favor of it.

Question. And they talk openly and publicly in favor of it ?

Answer. I do not know that they would to a stranger.

Question. I mean in talking with each other there in the county ?

Answer. Yes, sir ; they talk with one another about such and such a man ought to be so and so ; they call them regulators out there. They say that such and such a man should be regulated—something in that way ; that is about all I have heard them say.

Question. Have you heard of other cases of mistreatment ?

Answer. There were two other parties visited some five or six weeks before I was ; it might have been a little longer, or not quite so long ; I do not recollect what time it was. They were a man of the name of Smith, and a man of the name of Griffis. I never talked with either of them about it ; but I understand that Griffis denied having been whipped, but Smith acknowledged that he was whipped.

Question. Why were they whipped ?

Answer. I think they accused Smith of stealing ; I think that was the excuse ; I do not know certainly.

Question. How in the case of Griffis ?

Answer. I did not hear any complaint against him.

Question. Did they allege anything against you, except your attendance here as a juror ?

Answer. No, sir ; except about the negro girl being there ; they wanted to know if I kept her.

Question. The one you had at your house as a servant ?

Answer. Yes, sir.

Question. You say none of these people have ever been punished by the law for any of their misdeeds, so far as you know ?

Answer. No, sir.

By Mr. LANSING :

Question. You say they complained of your attending here as a juror ?

Answer. They complained of my being in evidence.

Question. As a witness ?

Answer. Yes, sir, against a white man and in favor of negroes voting ; that was their charge. I said I was not in evidence in any case in court, but that I was on the jury. They said the jury, if anything, was worse than being a witness.

Question. It was not for any particular verdict you had aided in finding, but that you had attended as a juror ?

Answer. Yes, sir.

Question. You spoke of having heard them say that such and such a man ought to be regulated. Have you heard them give any reasons why men should be regulated ?

Answer. Some of them would miss something, and look upon such a man as being the man who stole it, or something of that kind, the same as they did with Smith. A great many such people live there, people who would rather steal than work.

Question. Did you ever hear given as a reason why anybody should be regulated—their political sentiments ?

Answer. No, sir ; I never heard them say anything about politics.

Question. Have you ever supposed that they sometimes manufactured these charges against persons for the purpose of having an excuse to raid upon them for political reasons ?

Answer. I have.

Question. Do you think that is common ?

Answer. I do.

Question. Do you know Smith ?

Answer. Yes, sir ; I am not intimate with him, but I know him when I see him.

Question. What do you think about the truthfulness of the charge they made against him ?

Answer. I never have followed it up to know whether he would do such a thing or not ; I never lived close enough to him to find out. His brother worked for me, and I know him to be a working man. I do not see the necessity of his stealing, unless it is like some others who have it grown up in them.

Question. Have you voted regularly ?

Answer. I have not voted since the governor's election.

Question. When was that?

Answer. In 1868.

Question. Why have you not voted?

Answer. I was out of Baker County at the last election when they were voting for assemblymen and lieutenant governor; I was cutting cross-ties at the time. I could have gone and voted; all my hands went.

Question. At your elections have republicans been interfered with and disturbed in their voting?

Answer. Not where I have been. At the governor's election in 1868, in Putnam County, I was one of the registrars.

Question. How is the vote in Baker County?

Answer. It is about three-fourths white, and is democratic.

Question. What is the proportion between the black and white population there?

Answer. I do not know the exact proportion, but there is a great deal of difference; the whites are the most.

Question. How are the negroes in their political sentiments?

Answer. Some few of them go with the democrats.

Question. Are there any northern men in your county?

Answer. No, sir.

Question. Which generally has the majority at elections there, the democrats or the republicans?

Answer. The democrats there.

Question. How large a majority?

Answer. They generally have about two-thirds majority in that neighborhood.

Question. Have any of your colored people been disturbed in the exercise of their right to vote?

Answer. None, that I know of.

Question. Have any of them been whipped that you know of, or have heard of?

Answer. No, sir. One of these parties, Johnson, that I had arrested, I never believed belonged to the Ku-Klux Klan. I think he was duped into it that night. He is a man who loves to drink, and I think that from being with others and drinking he was duped into it that night.

Question. For that particular occasion?

Answer. Yes, sir. He has been here to see me since then. He was here two or three weeks ago, and wanted to know if he could be released if he would furnish evidence to convict several more men. I went with him to see Colonel Bisbee, the United States district attorney. He gave him to understand that if he would furnish evidence to convict several others he would probably release him, but he would wait and see what the evidence would be. His father told me—Jim Johnson would not talk to me much—that he was afraid to tell me, for if it got out there that he had, he could not live there until court. His father said that if they would take him as evidence his brother-in-law would be one, and that he was one of the Klan. In the Griffis case he refused to go, and they disbanded him. That is what Johnson's father told me. He said that if we got his brother-in-law, Mott, to come, he would swear to every man that belonged to the band. The marshal told me I had better tell you all these names that you might send for them. William Johnson saw the men riding backwards and forwards that same afternoon that I was taken out of the house, and John Mann was one of them.

Question. Had you any quarrel with these parties you had arrested?

Answer. No, sir.

Question. There was no ill feeling between you?

Answer. No, sir; Johnson and his father both used to visit my house frequently; his father never missed over three days at a time up to the last election. Up there in Baker County there was no clerk until a few days before the election, when there was a clerk appointed, and he sent deputies all over the county to register. A man by the name of Gurganis, a wealthy and influential man, came to my house on the Friday before the election on Tuesday. I was making preparations to build before election. He said that he proposed to register me, and wanted me to appoint a precinct at McLevy's still. I told him that I did not know that I would register. I said to him, "I have six negroes at work out here about one hundred and fifty or two hundred yards, will you go and register them?" He said, "No; I will not get on my horse and ride over the country to register negroes." I said, "One of their votes is as good as mine." We stopped talking about the registering business, except he said, "Are you going to register?" I said to him, "Are you going to register the negroes?" He said, "No, I am not." I said, "Will you wait until they come here?" He said, "They can register at Sanderson." I said that they would every one go down there that afternoon and register. He went out and registered the hands I had; but from that day until the day I left neither one of the Johnsons called to see me, except that the old man came there once.

Question. What are the politics of the Johnsons?

Answer. I have understood that they voted the democratic ticket at the last election. Old man Johnson was at work for me at the time digging a well, and a negro that I had hired was working there with him. After I went back where my other hands were at work, he told the negro that I did not treat Gurganis right. I have told you about all that passed between us.

Question. Did he give any reason why you had not treated him right?

Answer. No, sir; but I suppose it was because I talked so plainly to him.

Question. Because you told him that a negro's vote was worth as much as yours?

Answer. Yes, sir; I suppose so.

By Mr. BAYARD:

Question. Did you tell him anything more than that

Answer. That is all I recollect telling him.

Question. How many men came to your house?

Answer. I could not tell how many came there. There were some four or five in the room. As I got to the door where they turned my shirt up over my head, some more gathered up around them there.

Question. Did you say that all the men were disguised?

Answer. I saw two only that I recognized as they came into my room; they had smut on their faces.

Question. Who was the man that assaulted you and your wife?

Answer. Johnson was the man who had the club in his hand and who struck me.

Question. He is a man who drinks a great deal?

Answer. Yes, sir.

Question. You say you believe he was induced to join that crowd because of his dissipated habits?

Answer. I do not think that he has ever joined it, only for that one evening.

Question. They put him forward to inflict the injury?

Answer. Yes, sir.

Question. What is his occupation?

Answer. He is a small farmer and works first for one man and then another.

Question. He is a laboring man?

Answer. Yes, sir.

Question. Is he a man of any character?

Answer. I cannot say much as to his character. For the first year and a half I staid there I liked him very well; I had nothing against him.

Question. He was working where he could?

Answer. Yes, sir; he worked for me, and so did Swett and Rich work for me.

Question. You think Johnson whipped you after they got you out?

Answer. No, sir; I think Rich was the man who whipped me.

Question. You say he had worked for you also?

Answer. Yes, sir; about two weeks last October.

Question. Does he labor now?

Answer. No, sir; he farms altogether.

Question. What work did you put him at?

Answer. Cutting cross-ties. His father first spoke to me about it, and told me that his son was going to get married and wanted some clothes, and asked me if I could give him work enough to get some clothes. I said, "Yes; tell him to come on;" and he worked for me.

Question. How many men did you cause to be arrested?

Answer. There were four arrested.

Question. Did you recognize them?

Answer. I recognized two, and I swore to Rich's voice; my wife recognized the others.

Question. You came here and made complaint to the marshal?

Answer. Yes, sir.

Question. And then you gave your testimony before the commissioner under oath?

Answer. Yes, sir.

Question. The same testimony you have given us?

Answer. Yes, sir.

Question. And a warrant was issued to the marshal and he arrested these men?

Answer. Yes, sir.

Question. Had he any difficulty about it?

Answer. No, sir; I do not know where Rich and Tyson live; I know the neighborhood, but do not know the house they live in. As luck would have it, a few days afterward, as I was walking down town here, I saw them, and I got the marshal to arrest them here.

Question. Were they committed to prison?

Answer. Yes, sir.

Question. And subsequently bailed ?

Answer. Yes, sir.

Question. And one of them has been to him to arrange about turning State's evidence ?

Answer. Yes, sir.

Question. His name is Johnson ?

Answer. Yes, sir.

Question. He proposes to inform on the others if he can be acquitted ?

Answer. He will not acknowledge that he is guilty, but he agrees to furnish evidence against the other parties. He is afraid to talk, and I do not blame him, for I know that if he was to tell anything and it should get out there he would not live until court. I think if he was brought before you or before the court he would tell a great deal more than he would tell me, for he is afraid to talk to me. His father said a great deal more about what his son would tell if he was put on the stand than his son ever said to me.

Question. The United States attorney was willing to agree that if he should procure testimony to convict the rest, he himself should not be molested ?

Answer. He did not tell him in plain words that he would release him, but he said that he would see what could be done.

Question. Did he intimate to him that that would be the result ?

Answer. Yes, sir.

Question. You say the purpose for which this regulating is gotten up is to put down thieving and such like over the country ?

Answer. Yes, sir ; I think that was one purpose.

Question. When a man is reputed to be a thief, and the people all around him lose goods, and lay the thieving to him, you say they remark that such a man should be regulated ?

Answer. Yes, sir.

Question. Which means that the people should punish him without resort to law, by whipping him ?

Answer. Yes, sir. I was notified by the Ku-Klux, or I suppose it to be a Ku-Klux notice, when I was in Palatka. I was the only man in the county who took an interest in the election and electioneered for the republican ticket ; I was the only man there that could take the oath.

Question. You mean the iron-clad oath ?

Answer. Yes, sir. A great many voted the republican ticket, but they would not acknowledge it, or do anything for the ticket. It was just eight days after the election that I got up one morning and found a piece of paper lying just inside of my gate, informing me that if I remained there I was in danger. I went to the store and there was a negro man standing on the store steps with a gun in his hand. There was a great big notice on the store that they would give me twenty-four hours to leave town.

Question. On your store ?

Answer. Yes, sir. It was signed K. K. K., and made up of little words cut out of papers just where they could find the word they wanted, and not in writing. After I got to my present place of residence I received a notice to leave in ten days ; that was four or five months after I got there. I prepared myself, and did not keep it a secret either that I was ready for them. They did not bother me until they came on me the night I have spoken of.

Question. I understood you to say that you knew of no other cases than those you have mentioned, of the man Smith being whipped, and the man Griffis, who was said to have been whipped but denied it ?

Answer. Yes, sir ; that is all I know of. There was a little boy there, about eighteen or twenty years old, named Barber. The report says that they went there the night they came to my house, but he was not there.

Question. You only heard that rumor ?

Answer. Yes, sir ; that was all. This Barber was at Griffis's when they went there.

Question. Did they assault him when they went to Griffis's place ?

Answer. He got out of the way and hid.

Question. What was the charge against Griffis ?

Answer. I do not know.

Question. You say the charge against Smith was thieving ?

Answer. Yes, sir. This boy Barber told me and my wife that he knew the parties who went to Griffis's place.

Question. Were they the same persons who came to your place ?

Answer. He would not tell who they were.

Question. You were on the United States jury here ?

Answer. Yes, sir.

Question. How was it composed ?

Answer. I think that part of the time there were five colored men and seven white men, and sometimes half and half.

Question. It was a mixed jury?

Answer. Yes, sir.

Question. Are the juries here selected by the marshal?

Answer. They were selected last year by the marshal and clerk of the court, who selected such men as they thought could take the juror's oath.

Question. You saw those jurors?

Answer. Yes, sir.

Question. Were there any of them democrats?

Answer. I do not know the politics of any of them; nearly all were strangers to me; I knew two or three colored men, and I used to know Dr. Gordon.

Question. Do you remember the juror's oath that you refer to?

Answer. I do not recollect the words of it; the substance is that the person taking it has taken no part in the rebellion.

Question. That he has aided or assisted nobody, directly or indirectly, in any way engaged in the rebellion?

Answer. I think that is it.

Question. And all those men were able to take the oath?

Answer. When they went on a case the United States attorney would ask them if they could take the oath, and if any of them could not take it they would step one side, and others would take their places.

Question. They excluded all who could not take the oath?

Answer. Yes, sir.

Question. Where were you living during the war?

Answer. The first year of the war, in 1861, I was living in Jacksonville; in May, I think, I went to Baker County, to Sanderson, eight miles from where I lived last year, and took charge of a place there for a man of the name of Brown, who was run off at that time for his political sentiments. He came here and got me to take charge of the place; I staid there during 1861; then the confederate congress passed a conscript law to take all between eighteen and thirty-five years of age, and that included me; I then went to a commissary depot, and got a contract to grind meal and flour for the government; I had a little steam-mill, and that kept me out of the service.

Question. You were in that way in the employ of the Confederate States?

Answer. I kept out of the service in that way.

Question. You kept out of military service?

Answer. Yes, sir.

Question. At the same time you did grind food for the supply of their armies?

Answer. Yes, sir.

Question. You were paid for that by them?

Answer. I took toll, the same as I did from neighbors.

Question. You took toll from the Confederate States government for the grain you ground for their troops?

Answer. Yes, sir.

Question. Did you not think that you were in that way rendering assistance to support their armies?

Answer. No, sir, I did not think so; I did that to save myself from going into the service.

Question. I speak of the fact merely; I do not mean to question your motives, for every man, in my opinion, has a right to follow his conscience, and he is bound to do it if he is a good man. I am only speaking of the fact that you avoided military duty by performing this other duty; is that so?

Answer. I guess it may have been assistance to them.

Question. You assisted them in that way; instead of going into the army of the confederate government you went into their employment in another way, grinding grain to supply their troops; is not that the fact?

Answer. I did not voluntarily assist them.

Question. Does the oath contain the word "voluntary"?

Answer. I think it does.

Question. Do you not know that it does not?

Answer. No, sir; I do not know that.

Question. I will not press you upon that point.

Answer. I staid there in 1862; in the latter part of 1862 they passed another conscript act that included me again, and then I took an agency on the railroad from the president of the railroad, and there I staid until 1864, when General Seymour made his raid; when his troops fell back, I remained at Baldwin; when he was ready to go away, he asked me if I wanted to go, and I said no; that I was exempt from service according to the act of the confederate congress; he did not press me to go, but placed a guard around my house until he fell back; the next day after he fell back the confederate troops came around, and kept me under arrest for a while, and they then conscripted me, and asked me where I would go; I said that I would go to Virginia, and I went there and staid there just four weeks.

Question. You went into the army as a conscript ?

Answer. Yes, sir ; but not in the lines.

Question. You did not go into a battle anywhere ?

Answer. No, sir ; I did not go into the lines at all ; I volunteered to go on picket once, intending to go across to the other side, but I did not get across on account of the videttes shooting so ; the second time that I went on picket I walked right across.

Question. Where did you go then ?

Answer. I remained in the North until the close of the war.

Question. When you went on picket you went armed ?

Answer. Yes, sir.

Question. And when you got a chance you slipped over the line ?

Answer. Yes, sir.

Question. Did you take any oath, during the war, at all in regard to your duty to the Confederate States ?

Answer. No, sir.

Question. You avoided that by the means you have mentioned ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. At what time was it that you received this notice in Palatka ?

Answer. I forget the exact date now ; I think the election was some time in May, 1868, but I forget the exact date.

Question. At what time was the notice served on you after you went into Baker County ?

Answer. That was some five or six months after I went there, and I went there in October.

Question. Was that notice signed K. K. K. ?

Answer. It was not signed at all.

Question. I understand that the first time they conscripted you you kept out of the army—

Answer. They did not conscript me at all ; as soon as the act was passed that made me liable to conscription, I went to work to keep out of it.

Question. So it was you never rendered any military service ?

Answer. Yes, sir.

Question. You kept out of the army altogether ?

Answer. I did ; I was with the army some three or four weeks in Virginia, but I performed no military duty ; I remained with the wagons all the time.

Question. And you took the first opportunity you could to get through the lines and break away ?

Answer. I did.

By Mr. BAYARD :

Question. You say you were out with the wagons ?

Answer. Yes, sir.

Question. Were you a teamster ?

Answer. No, sir. A captain and a major asked me to post their books ; that was all I did ; I did some writing for them.

Question. In the commissary department ?

Answer. No, sir ; I made out a pay-roll for them ; that was the most I did ; I copied it off for them.

Question. You copied the pay-rolls for them ?

Answer. I just made them out for them.

Question. What else did you do ?

Answer. I made out the pay-rolls and copied them on their books.

Question. How often did you do that ?

Answer. Only once.

By the CHAIRMAN :

Question. I understand you to say that this was involuntary and against your will, and because you could not help it ?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 10, 1871.

FLORIDA E. CONE sworn and examined.

By the CHAIRMAN :

Question. What is your age, where were you born, and where do you now reside ?

Answer. I was twenty-seven years old last May—the 25th of May ; I was born in Darien, McIntosh County, Georgia, and I now reside in Jacksonville.

Question. Are you the wife of Mr. R. W. Cone?

Answer. Yes, sir.

Question. He has told us in regard to a company of men who went to your house and committed certain acts of violence in the early part of last summer; I wish you would give us an account of the transaction, so far as you saw it.

Answer. Well, sir, it was between 10 and 11 o'clock at night; we had gone to bed and were asleep. The noise woke me up, and the first I knew there was a crowd of men in there. They knocked me down, gave me a kick on my head and one on my shoulder, and pulled my hair and tore it a great deal. Mr. Cone was begging them to let me alone, but they would not do it, but kept knocking me. They took me by both hands—I was then on my knees—and dragged me, I guess, a great deal further than the length of this table—dragged me by both hands. There were three or four who had hold of me, and they dragged me to the room door, and then let me loose and took hold of him. He had his night-shirt on, and they took that and turned it up over his head, and then carried him into the woods. That was the last I saw of him, until they turned him loose and he got back to the house. After they had let me loose and had taken him to the door and started off with him, one of them turned around and came back, and told me that if I followed them he would blow my damned brains out. I happened to know him.

Question. Who was he?

Answer. William Tyson.

Question. Where does he live?

Answer. I think he lived down on New River, about twelve or fifteen miles from where we were living. I knew the one who had hold of me and dragging me; he lives about seven or eight miles from where we lived.

Question. What was his name?

Answer. Kindred Griffiths. They have never got hold of him yet; they have had the others up.

Question. How long was your husband away from the house before he returned?

Answer. I do not know exactly how long it was; I guess a half or three-quarters of an hour.

Question. Did you hear anything while he was gone?

Answer. I heard something like bushes cracking, like somebody stepping on bushes, and heard pistols fired off. I supposed it was a signal, or something, for them to gather together after they got through with him.

Question. Did you ever go to the place where he had been whipped?

Answer. No, sir; I have not.

Question. How long did you afterward remain in that place?

Answer. We left there on Wednesday morning, after the Saturday night that they came there.

Question. In what condition was your husband's person after he had been whipped?

Answer. Well, sir, his back was all raw; the skin was cut in but one or two places, but it was bruised from one end to the other; it was a perfect sight.

Question. Could you form any idea of the number of blows he must have received?

Answer. No, sir; his back was striped just as thick with stripes as it could be, forty or fifty, if not more. He was just covered, from his shoulders down, with stripes. One or two places on his side were cut with a buckle. I think it was a stirrup-leather they whipped him with.

Question. How long before he recovered from the effects of it?

Answer. I do not know exactly how long; there were some signs of it three or four weeks afterward.

Question. Did you yourself suffer any inconvenience from their treatment?

Answer. It did not actually lay me up in bed, but I was disabled to do my work as well as I ought to have done it. They dragged me about there, skinned me up a great deal, and made me pretty sore. The lick they gave me on the shoulder hurt me a great deal.

Question. Were you in your night-dress?

Answer. Yes, sir.

Question. Where were your little children?

Answer. They were there.

Question. Were they in bed with you?

Answer. Some of them were with me and some were with him. It was very warm that night; they were scattered pretty well about; it was awfully warm that night. He had some of the children in bed with him, and I had some with me. They were all up at the time. I suppose the noise and my screaming together woke them up.

Question. Was any effort made to prevent them from screaming?

Answer. No, sir. After they got him to the door they gathered him up and carried him off, and did not bother me any more.

Question. Had you any neighbors?

Answer. Yes, sir.

Question. How far off did they live?

Answer. The nearest was about a quarter of a mile.

Question. Did not your screams arouse the neighborhood?

Answer. They heard them. I suppose they were afraid to come see, or they might have been in favor of this Klan.

Question. No one came to your relief?

Answer. No, sir.

Question. Did the neighbors know anything about the treatment of your husband?

Answer. He showed his back to my father and one or two other neighbors.

Question. Did the parties express any sympathy with him?

Answer. Yes, sir; they seemed to be pretty sorry about it, but I do not know whether they were or not.

Question. How far do you live from your father's place?

Answer. Something less than a half a mile; I do not think it was quite a half a mile. I went up next morning and showed him the bruises on me, and Mr. Cone showed him his back. They gave Mr. Cone one lick on the forehead.

Question. Did they break the skin?

Answer. No, sir; only turned it black and blue.

Question. Did you know the man who struck you?

Answer. I knew one of them; this man Griffis struck me and had hold of me. He was one who helped to drag me to the door.

Question. Why did you not bring a prosecution against these people for treating you in that way?

Answer. I thought they ought to be punished.

Question. Why did you not sue them in that county?

Answer. I do not know; that was with Mr. Cone, I suppose; I suppose he thought it was best to do it here.

Question. Had you been molested or mistreated, or had any unkindness been shown to you by any of your neighbors before that night?

Answer. No; I do not think they had mistreated us in any way. They were all very friendly to us whenever we met them or passed them at any time.

Question. Have you any idea why they treated you in that way that night?

Answer. No, sir; I suppose my husband told you; I do not know what it was.

Question. They gave no reason while in the house for their treatment?

Answer. They did not speak in the house at all to me. After they got out of doors this fellow told me if I attempted to come after Mr. Cone he would blow my damned brains out. I did not go any further. I just stood in the door and screamed. I could not do anything for him. I could not leave my children by themselves; the fellow had his pistol in his hand.

Question. Were they all armed?

Answer. I do not know whether they were or not. I think some were.

By Mr. BAYARD:

Question. How many were there of them?

Answer. I do not know how many. I think, from the looks of the crowd in the house, that there were some seven or eight there, and then there were a great many outside.

Question. Did all of them have their faces smutted?

Answer. I do not know whether they did or not; the two that I knew did. One of them was very dark, almost as black as a colored person, any way. You could hardly tell whether it was smut or the natural color; that is, a person who did not know him; I do not think they were disguised in any way.

Question. This was last June?

Answer. Yes, sir; on the 24th of June. They are a cruel set of people there.

Question. These men have been arrested?

Answer. All but one; Mr. Griffis they have not got yet.

Question. Have they been brought down here to Jacksonville?

Answer. Yes, sir; four of them.

Question. Were they put in prison here?

Answer. Yes, sir.

Question. Have they been discharged on bail?

Answer. Yes, sir; I think under bonds to appear at court.

Question. Has the grand jury been in session since you came here?

Answer. I do not know.

Question. You are waiting here to go before it?

Answer. I suppose we will be brought before it.

Question. You have made this same statement before the United States commissioner, have you not?

Answer. Yes, sir.

Question. The same statement you are making now?

Answer. Yes, sir.

Question. How long ago did you do that?

Answer. We came down here on the Wednesday afterward, and on Friday two of them happened to come into town and we saw them, and Mr. Cone had them arrested, and on Saturday they were tried. On the next Monday there were two more arrested. I do not know exactly what day of the month it was; we came in on a Wednesday. They are a mighty cruel set of people to treat anybody as they did me and Mr. Cone for nothing.

Question. What kind of men are those that you recognized; what position do they hold in society?

Answer. Well, the whole county there is not much; the people out there are not any very great people, sort of low-down characters.

Question. Are these men of that character?

Answer. Pretty much all of them.

Question. Were any of them drinking men that you knew?

Answer. I do not know of any that drank but one.

Question. Who was that?

Answer. Mr. Swett.

Question. What did he do for a living?

Answer. Anything he could get to do.

Question. Just worked about?

Answer. Yes, sir; most of them did that way. Some of this same crowd Mr. Cone had had working for him about two months before this happened.

Question. Working at day's labor?

Answer. Mostly he would hire them by the month; he was cutting cross-ties.

Question. They were laboring men who worked about the country for their living?

Answer. Yes, sir.

Question. You say they were low-down people?

Answer. I suppose they would be what people up there would consider respectable people, but I do not think so.

Question. Are they all of that class?

Answer. As a general thing; some of the people living up there are very respectable.

By the CHAIRMAN:

Question. Those men stood well among the people in that community?

Answer. Yes, sir.

Question. And were received into their houses and treated with respect?

Answer. Yes, sir.

By Mr. BAYARD:

Question. Did you ever see them received into any houses there and treated with respect?

Answer. As much as they generally respect people out there.

Question. Were you ever in houses with them; did you ever meet these men in society yourself in any way, among your neighbors and friends?

Answer. I have seen them around there at neighbors' houses; they have been at our house, too; we have had them working for us.

Question. As laboring men under your husband?

Answer. Yes, sir; every one of the five had been working for him.

JACKSONVILLE, FLORIDA, November 10, 1871.

M. L. STEARNS sworn and examined.

By the CHAIRMAN:

Question. Will you state your age, where you were born, where you now reside, and what official position, if any, you hold in this State?

Answer. I am thirty-two years of age; I was born in Lovell, in the State of Maine; I now reside at Quincy, Gadsden County; and I am speaker of the house of assembly in this State.

Question. How long have you been living in the county?

Answer. Since the first of May, 1866.

Question. What is the relative population of your county as to blacks and whites?

Answer. I think the voting-list stands about one thousand four hundred colored and one thousand white. I think that is about the proportion. There are about four hundred majority of black voters.

Question. What is the political complexion of the county?

Answer. There is not much difference in the party votes; there are a few blacks who

are democrats, and a few whites that are republicans. I think there is about four hundred majority of republican votes.

Question. How have your elections been in that county as regards peace, quiet, and order?

Answer. They have been very quiet until the last election.

Question. When was that?

Answer. In November last.

Question. Was there any disturbance at that time?

Answer. There was considerable.

Question. What was the character of it?

Answer. There was considerable disturbance at the precincts in Quincy. Before the election, parties came to me saying that many of the democrats were coming armed to the election, and they wanted those on the republican side to be armed. I told them that I did not think it should be done; that I did not think the democrats would come armed. Colonel Davidson, who was running as the candidate for senate on the democratic side, professed to be conciliatory; and I did not believe the democrats would go there armed, and I discouraged those on our side from doing so. But on the morning of the election, before daylight, several persons came to my house, and said that the democrats were coming into town armed. I got up, dressed myself, and went down town, and found that quite a large number had come there with arms, and had deposited them in different stores, and at different points around the court-house square. They appeared at the polls without any arms except pistols; there were a considerable number of pistols paraded there, belted around persons. In the forenoon the election went on very quietly. There were two polling places in town. By common consent, in the morning the blacks took one poll, and the whites another, although some of the blacks voted at the white poll, and some of the whites voted at the other poll. But the general division was a poll to those of each color. The blacks being much more numerous in that precinct than relatively in the whole county, they could not all vote at their polls. About 2 o'clock the whites had closed voting at the other poll, and then reformed the line, and held the poll, being rather quiet, but showing a disposition to hold the poll. Other parties seeing that the voting had ceased there, and that those who stood in the line were men who had voted, and boys who were not entitled to vote, began to crowd forward, in order to get a chance to vote there. When they did so, there was a pressure made by those in the line to keep them out. I called the attention of the inspectors to it, and they attempted to make some effort to clear the polls. I told them that all such efforts would be fruitless, without they called on the sheriff to do it. They wanted to know where the sheriff was, and one of the policemen started off to find him. He was up-stairs in the court-room above. The policeman found him, and the sheriff authorized him to go and clear the polls. He went to the head of the line, and ordered the poll to be cleared. Thereupon some one asked him what was the purpose of it, and he said that it was in order to allow the other men to vote who had not voted. Some one said that was not what they were going to permit, and then struck him over the head with a cane. Then a general row began. By the efforts of Colonel Davidson, the democratic candidate for the senate, and of myself, the thing was quieted after a time. I rushed down, got on the porch, and after some time we succeeded in quelling it, without any pistols being fired, though there were several pistols pointed in every direction, and some bowie-knives drawn. I must say that it is almost a mystery to me how it was stopped without bloodshed. It was a fearful sight; we made every effort to quiet it that we could. I was lifted up on the banisters, in order to see over the crowd, and I noticed several pistols pointed toward me. One man, who seemed to be in charge of the organization that stood in front of the polls—Mr. A. K. Allison, president of the Florida senate during the war, and acting governor of the State when Governor Milton committed suicide just before the war—rushed out, and called to those about him to shoot me down. He was very much excited. But both sides seemed to have got about enough of it; that is, they seemed to have been afraid of what might come; and finally they fell back, and left an open space between me and him. He jumped up and down, and cursed furiously, and called upon them to shoot me down and not allow me to speak. But Colonel Davidson called out to them to listen to me, and they did stop and listen, and then both parties gradually fell back a little. By that time the sheriff had rushed in with his police, and after awhile succeeded in clearing the poll. It was nearly sundown by that time, and there were only about fifteen who voted at that poll after it was cleared. The tumult lasted nearly two hours. The object of it evidently was, knowing that we could not all vote at the other poll, to prevent as many as possible from voting, knowing that the polls, by law, had to be closed at sundown. The result was that about two hundred or three hundred were standing in line with tickets in their hands at the time the polls closed; and our majority was reduced in that county from four hundred to sixteen. It seemed to be an organized effort throughout to prevent as many as possible from voting.

Question. Did they seem to be acting in concert and under discipline?

Answer. They were entirely in concert, so thoroughly so that in organizing as they did there was very little disturbance about it. I heard Allison call out to them to stand in line; and generally there was not much stir in forming the line. There seemed to be a perfect understanding on their part.

Question. What became of the arms that they brought in?

Answer. They were left in the different buildings there, and when the difficulty commenced several men ran for arms, and came out with both arms full, some with a dozen or fifteen muskets each in their arms. Three or four ran for arms; but by the time they got on the ground there was quite a lull in the matter, and they were not used.

Question. On what side would those men have voted who were prevented from voting?

Answer. They were universally republicans.

Question. Did you know of any democrat who was prevented from voting?

Answer. Not one.

Question. How many votes were polled at those two places?

Answer. I think about five hundred each.

Question. What was going on at the other poll?

Answer. This difficulty broke them up entirely; that is, the inspectors all rushed out; it was a general disturbance.

Question. It interfered with the process of voting at that poll?

Answer. Yes, sir.

Question. Have there been any proceedings taken against any of those parties in order to punish them?

Answer. Mr. Allison and one or two others have been indicted, I think.

Question. Was Allison the man who struck the policeman?

Answer. No, sir. But the man who struck the policeman was indicted. I think he has run away; I have not seen him since, and I do not know that he has been yet arrested. I understand he is about the country somewhere.

Question. Why has he not been arrested?

Answer. I cannot say; I know the marshal was making efforts to arrest him for some time afterward. Since then I have not seen him; he is away in the woods, perhaps in the county below, the adjoining county.

Question. Have you had any organization of people in your county that are popularly known as Ku-Klux?

Answer. I cannot say, except from some information which leads me to think there is some organization there, or some general understanding among some of them.

Question. Have there been any demonstrations there such as are said to have occurred in other portions of the country?

Answer. There has been no killing and no whipping.

Question. How has it been in the adjoining counties?

Answer. In the county west, Jackson County, there has been a great deal of it. People from there, and men who have been over there, represent it as in a very bad state.

Question. Have you any information of a character that you deem reliable, as to what has been done there?

Answer. Yes, sir; I have such information as I deem reliable.

Question. In what form is it?

Answer. It is reliable information, entirely satisfactory to me. I have seen a great many parties from there who have described the condition of affairs there, men who in my opinion were entirely reliable. I saw a few days ago a man who lives in our county on the Apalachicola River, which separates the two counties, and I inquired of him in regard to a matter that had occurred there, where some parties came down on the opposite side of the river, called to a black man in his employ, who was running a ferry across at that point, to get his boat and set them across. When he landed on the other side he was shot with buckshot, and his body fell out of the boat on the shore; he seems to have been shot while in the act of stepping from the boat on shore, for one leg remained in the boat. I inquired of this man about that affair, and he gave me a full description of it. He said it occurred at about 12 o'clock, noon, and that none of the parties had been arrested for it. He further told me that there were two other men shot right in the neighborhood, on the other side of the river, one the night before, and the other a day or two following. He said that there were three men shot right along there in three or four days.

Question. Was your informant one of the men shot?

Answer. No, sir.

Question. Was this ferryman shot dead?

Answer. Yes, sir. The other two men were wounded, and are recovering.

Question. Were they white men or colored?

Answer. They were all colored.

Question. Did you understand that there was any reason for the attack upon them?

Answer. No, sir; I could not ascertain any cause for it.

Question. Have there, so far as you know, been any other acts of violence in the county?

Answer. There has been a great deal of killing there. Two clerks of the county have been killed.

Question. Who were they, and when were they killed?

Answer. The first one, Dr. Finlayson, was killed in March, 1869, I think. He was shot on the street; and Major Purman, State senator from that county, was in company with him and was himself shot through the neck at the time. They were walking arm in arm, and Finlayson was not quite so tall as Purman. The shot struck Purman in the neck and Finlayson in the temple.

By Mr. BAYARD:

Question. Was it the same shot?

Answer. So I understand.

Question. Who fired the shot?

Answer. Parties unknown to me.

By the CHAIRMAN:

Question. Have there been any other killings in that county?

Answer. A great many murders occurred right along after that. A merchant by the name of Fleischman was taken from his home at night and carried across the Alabama line and told never to return. He passed up through Georgia and came back to the town of Tallahassee, and started west from Tallahassee; and on his way, within about twelve miles of Marianna, he was killed.

Question. Is Marianna in Jackson County?

Answer. Yes, sir.

Question. By whom was he killed?

Answer. By parties unknown to me. Last April the clerk who succeeded Dr. Finlayson, a man by the name of J. Q. Dickinson, was killed.

Question. By whom was he killed?

Answer. I could not say. I have a manuscript statement, in his hand-writing, of difficulties that occurred there, which statement was found among his papers after his death and handed to me.

By Mr. SCOFIELD:

Question. What is that statement?

Answer. A brief history of the murders and assassinations which occurred there in about one month.

[The statement referred to is as follows:

"Memoranda of occurrences relating to the assassinations in Jackson County, September 28, 1869, and following.

"Wyatt Young, Calvin Rogers, Washington Rivers, and about twenty-three women and children went from Marianna to Robinson Spring to attend a picnic on the 28th September. At about 9 o'clock a. m., about three miles from town, they were fired upon from the roadside with about fifteen shots. Wyatt Young and Stewart Livingston were killed, the latter a boy about two years old. That evening and night a crowd of about thirty in all repaired to the spot; an inquest was summoned and organized, and after a little a track was found of a buggy, which was suspicious, and the inquest adjourned and followed the track to Greenwood. Arrived home at Marianna without effecting anything about the track. Next morning it was impossible to call together the same jury and another new one was formed, which sat until 5 p. m. on Friday, October 1, when a verdict of 'shot by unknown,' &c. was reached. The investigation was thorough but fruitless. Meantime, at dusk of evening, on Wednesday the 29th, as Columbus Sullivan and George Cox were hauling home a load of cotton, some one fired a load of shot at them, hitting Sullivan in the face and arm and Cox on the arm. No clew. This is about nine miles in the country from Marianna.

"Friday night the 1st of October, about four or five hours after the result of the inquest was known, Maggie McClellan and her father, James F. McClellan, were shot at from the sidewalk in front of the hotel. They were sitting on the piazza with friends. Maggie was killed and her father badly wounded. Next morning, Saturday, early, I went to the hotel and found a guard there, and they had three negroes in charge: Pizano Widgrow, the names of others not known. One of them asked me if he could be released. I told him to wait for an inquest. I immediately went and wrote a summons for an inquest, and seeing Calvin Rogers, constable, told him to be ready to serve it after breakfast. (Before this, however, I had met Peter Lawrence and John Milton, who told me they had found exactly who was the guilty party, but did not seem disposed to tell who it was. I shortly met Colonel J. P. Coker and said to him that I understood there was strong suspicion as to who did the deed, and recom-

mended a warrant for him whoever it was. I also stated that it was perfectly proper to stop him if there was danger of his escape. No one seemed to be willing to communicate with me. Coker made no answer, except to say that he was not aware what Colonel McClellan's plans were.)

"When I had written out the summons I left my office, and came down toward Alderman's store, when I saw William Coker in earnest conversation; as I passed he said: 'Come on; I'd as soon lose my life now as any time!' He then went up town very fast, and came back within two minutes with William R. Daffin, both commencing to run after they had passed Alderman's store. I also saw John T. Myrick and some others, all armed with guns, moving in the same direction toward the park. Some went into the park, some on the left, and, I think, some on the right, near Coker's store. At about that time I heard a call of 'Come on, boys,' in quite a loud tone down in that direction, and they went out of my sight toward White's store. Thinking this might mean some excitement or other, I went along that way at a quiet pace at first, but quickened as I realized now that it was some kind of a row. I met Richard Poone, J. J. Culpepper, Mr. Bonfoot, and a Mr. Dykes between White's and Alderman's, each of whom, I think, told me, 'they are trying to kill Calvin,' or words to that effect; shortly after I arrived at my boarding place, (Dr. Theo. West's), the party was returning. I remember seeing J. P. Coker, P. P. Lawrence, John Milton, and others; I stepped out to the street, and said: 'What is the row? I hope, gentlemen, you will not be too hasty, but will get out a warrant.' (Up to this time no one had seen fit to tell me that Calvin was the guilty one, though I, of course, had before this apprehended that it was for the murder they were trying to kill him.) Coker stopped, and the whole party, and he, in great excitement and anger, said: 'What right have you, sir, to say that? You, who this morning recommended me to stop the murderer without a warrant!' I corrected him, saying, that my recommend was to have a warrant, but not to let the man escape for want of it; but that I recommended no murder, and that the law should be followed. (I will say here that I do not understand that any effort was made to stop him, but only to kill him, or make him run.) Coker then abused me in very high and very low terms. When he spoke of the outrage having been committed by a set of men under my control, I stopped him, and told him not to impute anything of that nature to me. He then jumped toward me, and in the most insolent manner said: 'Now, sir, say what you have to say!' His men, to the number of six or seven, ranged themselves about with their guns at a ready. I answered that I had said what I proposed to say, and that if I found a chance ever to stop bloodshed, either on myself, or him, or any other man, I should not keep silent. Once during the conversation he said: 'We don't care a damned what you think or what you say.' I went up town directly after, and found everything in wild excitement. The young men were drunk and desperate, and the elder and better men were afraid, and kept mostly out of sight. This, too, was true earlier in the morning. I found directly that it was talked of all night and all the morning, and to me it was an evident arrangement (possibly tacit) to keep in and let the wild boys kill Calvin Rogers. I urged on every one I talked with to take out a warrant for him; but they delayed for hours. Presently W. D. Barnes came in; and I think it is owing mostly to his advice that the warrant was got out about half past 12 o'clock p. m.

"Meanwhile, about 9 o'clock, I judge, or a little earlier, E. S. Alderman, John T. Myrick, William Coker, and a man by the name of Dykes, or Simmons, forced Oscar Granberry and Matt Nickels to go out with them to hunt Calvin. They complained that they had no arms, but they were told that they would need none. They took them out a little way (about two miles) when they directed them to march ahead, which they did. Immediately some one shot Oscar, and Matt ran for life and escaped. J. F. E. McKay, with a party of five or six horsemen, went out to examine the body and reported it to me, I judge, about 1 o'clock p. m. I had, however, heard of it indirectly before. J. F. McClellan, A. H. Bush, J. P. Coker, and W. D. Barnes, and W. E. Anderson recommended that I should not hold an inquest. They gave different reasons. I also, from other sources, obtained unmistakable information that the crowd would not allow an inquest. I deferred, partly because it was totally impossible for me to find a single man that dared to serve the summons, or would do it.

"I staid on the street all day, though Colonel McClellan and Judge Bush earnestly advised me not to do so. There was much danger of a riot before noon. Some kind of an organization was attempted, and, I judge, concluded that day, though I could not obtain any information. Everybody kept aloof, and no one consulted me. I made an effort to keep the merchants from selling whisky, but could not succeed in every case. Drunkenness and misrule and excitement abounded.

"*Sunday.*—I protested to Colonel Coker, Barnes, Calhoun, and Bush that an inquest should be held over the body of Miss McClellan, and they insisted that it should not. Mr. Barnes said I could exercise my judgment about the Granberry case, but that Colonel McClellan would not hear of an inquest in his daughter's case. I received direct threats from the mob that I should not be allowed to hold the Granberry in-

quest. In fact, the determination was general not to submit to an inquest. I could not find a man to serve the summons, or I should have held one. As it was, I postponed them indefinitely, till the excitement was over. Watts gave me information on this point at dinner.

"During the previous night some of the boys of town went to the house of William Bryan and ordered him out instant. He wanted to put on his clothes. They told him to hurry up, as he would not have much use for clothes. He took this as his death warrant, and jumped out of the back window and ran. They fired at him, and he was found the next day at Jesse Bush's badly wounded in the foot. He had to crawl a quarter of a mile.

"*Monday night.*—Some parties, headed by Chartain, went to Henry Reed's and called him out. He would not come. They insisted. He locked the door, which he had at first opened, and, with his wife and son, jumped out of the window and ran. They got sight of the son and fired on him. Henry escaped and ran under Mrs. Ely's house. They came there to search, but failed to get him.

"*Tuesday.*—Murder of some negro on H. Bryan's plantation. [Not murdered. He is still alive, October 12th. His name is Jerry Pridgeon.]

"*Tuesday night.*—Jack Myrick and others went to the house of Bob Dickens to find him, but he was gone. They also went to Mr. Davis's, but could not find him. [Tuesday night, I think, Dan Bryan came to town, and was imprisoned till morning.]

"*Wednesday.*—McNealy, J. P., came to town.

"*Wednesday night.*—E. S. Alderman and Ep Butler, and at least one more, (name unknown,) went to Richard Pooser's house, and obliged him to come out. They ordered him to march down the street (leading out of town.) He ran. A double-barreled gun was fired after him, and a pistol. He escaped, hiding under Dr. West's dining-room.

"*Thursday noon.*—A meeting of the white citizens was held. For proceedings see other sources.

"In this meeting, Barnes, Milton, and McLeon favored peace on all sides, and especially deprecated drunkenness and abuse of power. Coker answered indignantly, protesting that it was not the object to abuse our young men who had taken a little too much, or had acted a little irregularly.

"I forgot to state on Monday, the 4th, that a meeting was held in Judge Burk's office of the lovers of peace of both colors. It was very thinly attended. -Mr. Collo-way and Godwin met me on the street, just as they were going to the meeting, or I should not have known of it. They said it was thought best not to have me attend the meeting, but if I was wanted I would be sent for. *I was not sent for.*

"Also I forgot to state that on Tuesday night, about 9 or 10 o'clock, Samuel Fleischman was carried off. For particulars see elsewhere.

"*Thursday afternoon.*—William Coker, E. S. Alderman, Jack Myrick drove Matt Nickels and Maria, his wife, and Matt, jr., his son, away from their home to a lime sink half a mile away, and killed them. Richard Barrett and Riley Dykes, I think, found the bodies. Their daughter is the witness. Thursday night the same parties came in from the scene of the murder, and reported that they saw Calvin Rogers and twenty or twenty-eight men. The town was alarmed, and slept on its arms. This murder is popularly believed to have been to cover up the murder of Oscar Granberry.

"*Friday.*—Another meeting of the colored citizens, with just a few whites to maneuver it. No particulars of its operations as yet. McNealey, justice of the peace, issued warrants for the murders of yesterday, or rather it is so reputed. Anderson and Alderman came to see me about it. Jack Myrick given up by his bondsman, and before he was received he stole the bonds and left. Joe. Bowers has one of the original warrants to take him. Quite an excitement. Two parties, "M." and "A.," warned me of certain danger, which I shunned. One of them offered me his house.

"*Saturday.*—Myrick, Coker, and Alderman missing. Held inquest on their bodies. Received letter unsigned from C. Showed it to M. and McN. before reading. Wrote a letter and delivered it to M.

"*Sunday.*—All quiet. Heard rumors were afloat that I had communicated with Calvin Rogers; that I had him in the clerk's office, &c., &c. Went with Milton to the office; found the office well guarded by Calhoun, Anderson, Shavit, and others. Charles Ely came in and wanted water, which I told him he would find all right in the back room, only I had no dipper—big thing!

"*Monday, October 11.*—Talked the truth to Milton and McNealy, as also to McLeon and Barnes. Joined the two first in letter to the governor, having written a long detailed history of the whole affair earlier in the day. In the joint letter we expressed confidence that law could now assert itself; that we needed no military, and were anxious for a sheriff.

"*Casualties to date.*—Whites: killed, Maggie McC; wounded, Colonel McC. and Sullivan; total, 3. Colored: killed, Wyatt Young, Stewart Livingston, Oscar Granbury, Matt Nickels, jr., Maria Nickels, and one name unknown, on H. G. Bryan's plantation; wounded, Calvin Rogers and William Bryan; total, 9.

"Was just closing our joint letter to the governor when I heard of a dead man lying in the road out toward McNealy's—said to be a white man. Made inquiry, and concluded to send the letter, notwithstanding this awful and telling contradiction. Broke open the private letter and mentioned it then. Sat up late; somebody at my windows about 12 m.

"*Tuesday morning.*—Learned that the man killed yesterday was Samuel Fleishman; verdict of jury, "Killed by unknown, &c." He was walking from Chattahoochee and was killed near Marshal Warren's. Louis Gamble saw Fleishman in Bainbridge, and he told him he would go to Quincy and return here in a few days. Parties went out from Marianna armed that morning. Warned not to go out and get the body, and warned that Jack Myrick was on my track.

"*Wednesday morning.*—Fleishman buried. Wrote to governor of the particulars, also recommended putting off election and discussed martial-law business. Inclosed affidavits of Fleishman. Lowe left October 19, Tuesday. Troops arrived Tuesday October 26. West arrived Thursday, October 14.

"*Saturday night, October 23.*—George Harvey's and Alex. Bell's house shot into.

"*Sunday night.*—Adeline Failey's house broken into. Lucy Griffin attacked three times on the street and frightened.

"Henry Kincey arrested in Alabama, brought back to Irvin's Mill Creek and shot by Greenwood rowdies; not known whether he escaped.

"Guard made unusual demonstrations the night the sheriff arrived, and at night the soldiers came.

"Charles Ely told Mose that a crowd had determined to kill the Nickels girl, and that he must not be in the way.

"John R. Ely and Seaton A. Calhoun told Richard Pooser and other negroes that they had got to vote right hereafter or they would make them do so; that Hamilton and Purman should not return; that they had the upper hand and meant to keep it.

"Mrs. Widgeon and J. L. Robinson said they thought the Robinson negroes would learn now that it was not best to aid in arresting a white man.

"Alfred ——— was attacked at night twice by Kilbee and company.

"Coker says any one that gets \$5,000 for his son won't be benefited much by it. John Ely, Anderson, Merritt, and others say Purman shall not come back here. Ely says they ought to have been hung.

"Togg says he will shoot Calvin on sight. The people here pretend to believe that I know of Calvin's whereabouts.

"*October 23.*—Sheriff West and Harris went to A. B. Hamilton's and stopped to inquire the way. The woman begged them not to kill her; said she was frightened, and said, "I don't know, master, but you'll kill me before you leave here."

"*October 29.*—West and Harris went to the supper at Davis's at night. Harris got drunk completely. Coker, as usual, took the opportunity to abuse and menace West. He damned Hamilton and Purman, Lowe and I and any man that would take an office to 'boot-lick' these fellows; that he had gone once to kill H. and P.; had hailed them but they would not stop; that he went to H.'s office once with the full intention of killing him, or getting William's pistol.

"*Saturday night, October 2.*—William Coker, John Milton, Jim. Robinson, William Robinson, ——— Lawrence, and others, to the amount of twenty-five, came to James Hall's house and took away his pistol and gun, and carried him away by violence, and threatened him variously. Hall lives about seven miles from town. Hall wants me to write to Hamilton to inquire as to the bounty due his wife from her former husband."]

By the CHAIRMAN:

Question. I see here with this statement of Mr. Dickinson what purports to be an affidavit made by Samuel Fleishman before Mr. J. Q. Dickinson, as a justice of the peace for Jackson County. Have you read that affidavit?

Answer. I read it soon after it was made; I have not read it lately.

Question. It bears date October 5, 1869, and of course it was before Mr. Fleishman was killed?

Answer. Yes, sir.

Question. How long after that he was killed?

Answer. That affidavit was made just before he was killed, about the time he was taken from the county and carried across the Alabama line.

Question. Have you examined this indorsement on the back of it?

Answer. I have not.

Question. The indorsement reads as follows:

"We, the grand jury, have examined diligently into the within case, and cannot find it a case of kidnapping.

"J. WIDGEON, Foreman.

"DECEMBER 22, 1869."

Question. Do you know anything about that?

Answer. No, sir.

[The following is the affidavit referred to :

"STATE OF FLORIDA, *Jackson County* :

"Before me, J. Q. Dickinson, a justice of the peace in and for the said county, personally came Samuel Fleishman, a citizen of said county and State, who, being duly sworn, says that on yesterday, the 4th day of October, A. D. 1869, about 4 o'clock p. m., or a little later, I was visited upon by Arthur A. Calhoun and John R. Ely, at my boarding-place in Marianna, in said county, and Ely informed me that James P. Coker, William D. Barnes, and John R. Ely wished to see me at the store of James P. Coker, on particular business. I immediately repaired there. I waited there, in company with John R. Ely and James P. Coker, till nearly dark, when Coker told me that as Barnes had failed to come I need not wait longer, and asked me if I would come up again the next morning. I again went there this morning, and found several persons of influence in the county assembled. I was presently invited into the store, where were assembled, apparently in some organized meeting, the following persons that I know, citizens of this county : Arthur A. Calhoun, John R. Ely, James P. Coker, William Robinson, J. M. Drummonds, Thomas M. Clark, Charles Ely, James A. Chastain, Wilbur F. Jenkins, and about twenty others, I judge. Thomas M. Clark informed me of the general object of the meeting, while we were waiting outside. James P. Coker and others stated to me that they represented a committee that represented the whole community, and that it was the general desire of the community that I should leave for the good of said community ; that they were confident that if I remained I should be killed on account of certain expressions made by me, as alleged, on Tuesday last ; that if I were killed they feared twenty or thirty others might be killed on account of it, and to save bloodshed I ought to leave. I refused, and stated that my business was such that it would damage me twenty thousand dollars. They gave me at first two hours to arrange my business to get out of town ; afterwards till 5 o'clock p. m. ; afterwards till sundown. I told them if I had committed a crime I was willing to be tried and punished for it, but that it was impossible to arrange my business to leave before January 1, 1870 ; that I would rather die than leave. They informed me they would take me off at sundown, willing or unwilling. They stated that they had no desire to take my life, but, on the contrary, wished to save it, and to do the best thing they could for the safety of the community. They then dismissed me, saying I could go and attend to my business until sundown, at which time they should come after me, and take me away. I appeal to you as the only officer of the law in the town that I know of, and solemnly protest against the outrage threatened.

"SAMUEL FLEISHMAN.

"Sworn to and subscribed before me this 5th day of October, A. D. 1869, at 1 o'clock p. m.

[SEAL.]

"J. Q. DICKINSON,
"Justice of the Peace.

"We, the grand jury, have examined diligently into the within case, and cannot find it a case of kidnapping.

"J. WIDGEON,
"Foreman.

"December 22, 1869.

"STATE OF FLORIDA, *Jackson County* :

"Before me personally came Samuel Fleishman, who, being duly sworn, says that James P. Coker, on Sunday, the 3d of October, came to the store of Altman & Bro., in Marianna, of which firm I am the authorized agent, and asked for all the guns and pistols I had in the store. He said they were wanted for the men in defense of the town during the present excitement, and that they should all be returned, and that he would be responsible for their return. He took five guns worth \$20 each, and three guns worth \$25 each. Eleven pistols worth \$18 each. Powder, shot, and caps worth about \$20. The key was delivered up to the said James P. Coker by Wilbur F. Jenkins, who was acting as my clerk. There was about \$11,000 or \$12,000 worth of goods in the store at the time, and I have removed nothing since.

"SAMUEL FLEISHMAN.

"Sworn to and subscribed before me this 5th day of October, A. D. 1869, at five minutes past 4 o'clock p. m.

[SEAL.]

"J. Q. DICKINSON,
"Justice of the Peace."]

Question. Where did you obtain these papers ?

Answer. They were sent to me by Colonel Martin, of Chattahoochee, who went after the body, and brought it back with his papers ; and these were among his papers.

His body was brought here to this place, and funeral services were held ; and then his friends took the body North.

Question. The papers were found in the shape in which they now are?

Answer. Yes, sir.

Question. This affidavit of Mr. Fleischman was found with the other papers?

Answer. Yes, sir.

Question. Have you examined these papers lately?

Answer. I have not.

Question. Have you investigated the cases referred to in them?

Answer. Only so far as to satisfy myself to what they referred. I had knowledge of all these affairs from Captain Dickinson himself, before his death, consequently they were not new to me ; it was only that they were in the form of a memorandum by him.

Question. How many different cases does he cite there?

Answer. I could not state positively, now.

Question. Is the statement in his handwriting?

Answer. Yes, sir.

Question. As well as the affidavit of Fleischman?

Answer. Yes, sir.

Question. Have you other information of a reliable character that would corroborate these statements?

Answer. From information gathered from other parties, I am satisfied that all these cases occurred, and even more than these. You will find that these extend over only about one month of the period of terrorism in that county. I would rather leave this statement to speak for itself, than to restate the occurrences from what I have heard.

Question. Did that state of things continue after the date of that paper, or had it existed for any time previous?

Answer. That is about the beginning ; it was in September and October. The serious difficulties in that county commenced with the shooting of Finlayson, the clerk of the court, in March, 1869. From that time to the present there has been a very bad state of affairs there.

Question. Is the organization known as Ku-Klux understood to exist in that county?

Answer. It is denied by some parties, and asserted by others.

Question. Were these acts committed by bands in disguise and at night?

Answer. There have been bands in disguise there, but at the time these acts were committed they were committed openly.

Question. Has anybody been punished in that county for any of these acts of violence?

Answer. I think not ; not to my knowledge.

Question. Has any attempt been made to punish them?

Answer. Well, no, sir ; I do not know of any.

Question. Why is that?

Answer. I do not think there are any men there who dare to take it up. I have asked parties why it was not done, and they say that it was impossible ; that they can raise one hundred and fifty of the best armed men of the country at any moment there to resist any process ; that is what they informed me.

Question. State whether, in your opinion, there is this organization in the State and extending through the State, and what are your reasons for thinking so, if that is your opinion.

Answer. I think that there is an organization extending pretty much over the whole State, more violent in some portions of the State than in others, just according to the controlling influence over it ; according to whether they are desperate men who control it, or men of moderate views. That is my full conviction. My reasons for thinking so are observations and remarks that are continually dropped about. It is no unusual thing to hear threats all about us, even in counties where we have had no open outbreaks ; threats of the most violent character. In Calhoun County, just a week or ten days before Captain Dickinson was killed in an adjoining county, a member of the legislature was killed.

Question. Who was he?

Answer. James Yerty. He was shot while riding along the road ; shot from an ambush and killed dead. The man who killed him was seen ; he was killed by one Luke Lot, who is now said to be in Jackson County. I am very reliably informed that he has been in Jackson County ever since this murder, the latter part of last March, soon after the legislature adjourned. He has been fitted out with arms and equipments, and rides a very fine horse around the county. There are continual expressions throughout Middle Florida by men who approve of these things to this extent : They say they would give him the best horse on their plantations, if he needed it, to aid him in his operations.

Question. Why would they give him that assistance?

Answer. They give no reasons particularly, more than their approval of his killing

this man. It was rumored that he killed Dickinson; that he was the one who fired the shot.

Question. Why do they approve of his killing Yerty; what had Yerty done?

Answer. They simply allege that he ought to have been killed.

Question. Do they allege anything against him except that he was a republican?

Answer. In speaking about it, I understand that they say they would give him the best horse they had for his operations.

Question. Do they assign any reason why they approve it; why this man ought to be killed, or why the other man ought to have killed him?

Answer. They assign the reason that he was a republican; that is the only reason I have heard.

Question. Do they intimate that all republicans ought to be killed?

Answer. Yes, sir; that expression is frequent.

Question. Is that the term they use in speaking of the members of the republican party; do they call them republicans?

Answer. Yes, sir.

Question. Is the term "radical" used at all?

Answer. Yes, sir; that is frequently used. I thought you referred to their manner of speaking of republicans. "Radical" is a term more frequently used than "republican."

Question. State whether you think that this organization which you have supposed exists throughout the State has a political significance; and, if so, state why you think so.

Answer. I think it is based entirely upon politics; I have the same reasons for so thinking that I have in regard to the other statement I have made—that is, the expressions used; whenever it is put in operation it is against republicans; the murders where men have been killed have been universally republicans, excepting in cases of personal difficulty. Take the outrages where there is no assignable cause for them, and they are always inflicted upon republicans. And then these expressions are always used in regard to them.

Question. What was the character of Mr. Dickinson?

Answer. He was a man of very noble and high character.

Question. Had you any opportunity of knowing his character and the estimation in which he was held by the people?

Answer. Yes, sir; I was very intimate with him.

Question. How was he regarded after his death?

Answer. There was every honor paid to his remains that could have been paid to any man. There was a great ovation paid him through the State, along the whole line of railway, when his remains were carried through. There were thousands of people at the depot at Tallahassee when his remains passed through there; they were there with bouquets without number. One of the most beautiful sights I ever saw I witnessed there when they showered those bouquets upon his coffin. Everybody seemed to come there with the idea of decorating his coffin with a bouquet.

Question. Under what circumstances was he killed?

Answer. He had been at the court-house that night with the county judge to draw a jury. He was engaged in drawing the jury until about 10 o'clock, when he started to go home. I think his house was about three or four blocks from the court-house. In passing to his house he had to cross a vacant square, a space of ground reserved there, I think, as a park. He was shot while crossing this park from behind a fence in the yard of a vacant house, Dr. West's house.

Question. Was any one with him?

Answer. He was alone. He was killed within a few yards of where the other clerk had been shot crossing that same square.

By Mr. BAYARD:

Question. Was that in the day-time or in the night-time?

Answer. It was about 10 o'clock at night.

Question. How long had Captain Dickinson lived in Florida?

Answer. I first made his acquaintance in 1868; he was then living in West Florida, and I think had been there from the close of the war.

Question. Where was he from?

Answer. He was a native of Vermont.

Question. You have called him captain; was he a captain in the Army?

Answer. So I understand.

Question. He came here after the war?

Answer. I understood so.

Question. What office did he hold at the time he was killed?

Answer. He was county clerk of that county.

Question. How are your county officers appointed here?

Answer. By the governor.

Question. Does he appoint your sheriffs?

Answer. Yes, sir.

Question. Does he appoint your county commissioners?

Answer. Yes, sir.

Question. Who was the governor that appointed Captain Dickinson?

Answer. Governor Reed.

Question. The present governor?

Answer. Yes, sir.

Question. Under your constitution the governor has the appointment of all the county officers you have described—the sheriffs, county clerks, commissioners, &c.?

Answer. Yes, sir.

Question. Who appoints your judges?

Answer. They are appointed by the governor.

Question. He has the control of the appointment of all those officers I have named?

Answer. Yes, sir; by and with the advice and consent of the senate.

Question. Are all the officers nominated by him, or does he appoint any of them directly, without the concurrence of the senate?

Answer. There are officers whose appointment does not require the concurrent action of the senate; the county commissioners do not.

Question. Do the sheriffs require it?

Answer. Yes, sir.

Question. And the judges?

Answer. Yes, sir.

Question. And the clerks?

Answer. Yes, sir.

Question. The county commissioners he appoints upon his own motion, without the concurrence of the senate?

Answer. Yes, sir.

Question. Are there any other officers of your county government than those you have named?

Answer. There are the justices of the peace.

Question. Who appoints them?

Answer. The governor.

Question. Do they require any confirmation by the senate?

Answer. No, sir.

Question. Has he the power to remove officers for misbehavior in office?

Answer. Yes, sir; all those not confirmed by the senate.

Question. It was in Jackson County that these two county clerks were killed; Dr. Finlayson in 1869, and Captain Dickinson in 1871?

Answer. Yes, sir.

Question. In what town?

Answer. In Marianna.

Question. Were each of these gentlemen killed by a single shot?

Answer. They probably were, although Captain Dickinson was shot with buck-shot through his breast and heart, which shot must have been fatal. Then there was a pistol-shot in his body when he was found; that appears to have been shot by some one standing over his head after he had fallen, from the direction of the bullet being downward.

Question. Was the number of his assassins ever known?

Answer. They are not known to me. There are very strong suspicions resting upon parties, but they are not known to me.

Question. Is there any definite knowledge that you could give regarding that fact?

Answer. Not that I could give.

Question. At the time the other clerk was shot, when you say a gentleman who was with him was shot, one was shot, the bullet passing through his neck, and the other was shot in the head?

Answer. Yes, sir.

Question. When was that?

Answer. That was in March, two years ago.

Question. Was that in the day-time or in the night-time?

Answer. It was in the night-time.

Question. Was it ever known how many persons were engaged in that assassination?

Answer. No, sir.

Question. Then, so far as you know, the deaths of those two persons remain a mystery as to who slew them, or the motives for doing it?

Answer. I do not think it is a mystery.

Question. Then state any facts that you know connected with their killing which would throw any light upon the subject.

Answer. Well, Captain Dickinson, before his death, had received many anonymous threatening letters; from everything which I can understand, he seemed to be expecting death. There was also such a thing as this connected with it: a man meets another

on the road, and is told in conversation that if they could kill Captain Dickinson and himself it would give them the State—referring to the democracy.

Question. Who was that man?

Answer. The one who was told that was Mr. Livingston.

Question. Who made that statement to him?

Answer. I am not acquainted with him; I do not know his name.

Question. Do you know who he was?

Answer. No, sir.

Question. Do you know by whom he was authorized to speak?

Answer. No, sir.

Question. You do not know what the man's name is?

Answer. No, sir; he was a stranger to Mr. Livingston. This occurred but a few days before Captain Dickinson was shot; the man said he lived in Gadsden County, and said that he had heard that the people in Marianna were threatening to kill Dickinson.

Question. Your statement is based upon the statements of somebody else, of an unknown man?

Answer. Yes, sir; but there were various threats of that kind that I do not now recollect, either who made them, or where they were made; I know they occurred throughout the country; sometimes in the western part of the State.

Question. Have you ever lived in Jackson County?

Answer. No, sir.

Question. How far from it has been your residence?

Answer. In the adjoining county.

Question. Have you any personal knowledge of the disturbances there?

Answer. I have not.

Question. You have said, in answer to a question by the chairman of this committee, that you believed in the existence of a political organization throughout the State. I will now ask you the facts upon which your belief is based. Do you know any one who belongs to such an organization?

Answer. No, sir.

Question. Did you ever see a band of those men yourself?

Answer. No, sir.

Question. Did you ever see any men in this State who were disguised?

Answer. No, sir.

Question. Have you knowledge of any case in which the testimony has developed the existence of such an organization?

Answer. No, sir.

Question. Does, then, what you have stated as your belief rise to more than a mere suspicion that such things may be?

Answer. I think it does.

Question. Are you able now to give us a salient fact to support the belief you have expressed? I understand you to say that you do not know such an organization exists, but that you believe it?

Answer. I have not said that I know it, but I have said that I believe it. These numerous deaths and outrages, occurring as they do, the numerous threats that have been made, and the fact that men have acknowledged it frequently in conversation.

Question. Did any man ever acknowledge it to you?

Answer. Yes, sir; I think so.

Question. Name one who did so?

Answer. I cannot state now any names that I can recollect.

Question. Give us the name and residence of any person you can think of who has made such an acknowledgment to you. Did you ever know a case in the State where there was violent resistance to the service of legal process from the courts?

Answer. I never was present at such a case.

Question. Can you state any such case?

Answer. None to my personal knowledge.

Question. Do you not know that throughout this State all civil process can readily be served?

Answer. I think that generally, through the State, it can.

Question. I understand that the governor of the State has the power to appoint all the officers whose duty it would be to issue process and to serve it?

Answer. Yes, sir.

Question. That governor is Mr. Harrison Reed?

Answer. Yes, sir.

Question. When did he come to Florida?

Answer. In 1865, I think.

Question. Since the war?

Answer. I think he came to this place during the war.

Question. I understand that you yourself came from the State of Maine?

Answer. Yes, sir.

Question. When did you come to Florida?

Answer. In 1866.

Question. What was your occupation before you came here?

Answer. I came here from the military service of the United States.

Question. Did you lose an arm in that service?

Answer. Yes, sir; at Winchester, Virginia.

Question. Since you have been here, have you met with any personal injury, any assault, at the hands of any of the people here?

Answer. Yes, sir; I was assaulted one day in the town of Quincy.

Question. How long ago, and by whom?

Answer. It was the latter part of March, on the very day that Yerty was killed in Calhoun County, on a Sunday, and it was by a man of the name of Jones.

Question. It was a personal difficulty?

Answer. No, sir.

Question. What was his assault on you for on Sunday?

Answer. I was passing along on the street to the post-office; the mail had just come in, and I was going to the post-office for my mail. When within about ten yards of the post-office door this man stood in the middle of the street, and as I passed him he struck the rim of my hat with what proved afterward to be a large bowie-knife, although when he struck me I did not know what it was. I turned around and asked him what he meant. He said it was to make me recognize a gentleman when I passed him. I told him very well; that I would endeavor to do so when I did pass one; whereupon he caught me by the collar and presented this knife at me. He is a very bitter man, who had not spoken to me for two years. We never had had any words, but we never had been on social terms. This was the first time he had spoken to me for two years.

Question. Was he intoxicated?

Answer. No, sir; he is a man who never drinks at all. It was at the time the trial of Mr. Allison was going on at Tallahassee. He said that I would have to leave that burgh, as he called it; that I was the cause of the troops coming there, &c.

Question. Allison was the man who you say wished to raise a disturbance on election day?

Answer. Yes, sir.

Question. On what day was that, and in what year?

Answer. It was in November, 1870.

Question. And this trouble you now speak of was when?

Answer. In the latter part of March, 1871.

Question. Was this man a friend of Allison?

Answer. Political friend; that is all I know.

Question. You believe his assault upon you was caused by his feeling growing out of that trial?

Answer. He said so.

Question. Did you ever have anything done to him for that?

Answer. No, sir.

Question. You never had him indicted?

Answer. No, sir.

Question. Did you ever have him bound over?

Answer. No, sir. When he drew his knife on me, I told him that he had the advantage of me then, but that I would be glad to meet him on favorable terms. I also suggested that the Sabbath day was not a time for settling such matters, and after a time he seemed to take the same view of it himself. He went away, and I went into the post-office and got my mail. He left the State a day or two afterward. However, I should not have taken any steps against him.

Question. You felt secure in your own power of self-defense?

Answer. Yes, sir.

Question. What was done in Allison's case?

Answer. He was indicted, tried, and convicted; and then he obtained a new trial.

Question. Is his case now pending?

Answer. Yes, sir.

Question. You say he was convicted?

Answer. Yes, sir.

Question. And a new trial was granted because of some error in the proceedings?

Answer. Yes, sir.

Question. What was the offense for which he was indicted?

Answer. It was an offense charged under some clause of the enforcement act; I forget now which; it was an indictment in the United States court.

Question. Were you a witness in that case?

Answer. I was; but I had not been at the time this affair occurred of which I have spoken.

Question. Who appoints your prosecuting officers throughout the State; what do you call them, district attorneys?

Answer. State's attorneys.

Question. You have an attorney general for the State?

Answer. Yes, sir.

Question. And you have sub-attorneys under him throughout the State?

Answer. Yes, sir; a State's attorney in each judicial district.

Question. By whom are those State's attorneys appointed?

Answer. By the governor.

Question. Is the attorney general appointed by the governor?

Answer. Yes, sir.

Question. You say that you are now speaker of the house of representatives of this State?

Answer. Yes, sir.

Question. What other offices have you held in the State?

Answer. I was a Bureau officer for some time.

Question. An officer of the Freedmen's Bureau?

Answer. Yes, sir.

Question. For how long?

Answer. For two years.

Question. Where were you then located?

Answer. At Quincy.

Question. And after that what was your position?

Answer. I was surveyor general of the State.

Question. Is that an appointment of the governor?

Answer. No, sir; that is an appointment under the United States Government.

Question. Do you hold that office still?

Answer. Yes, sir.

Question. Is that the only office you hold?

Answer. That and the position of speaker of the house of representatives of the State legislature.

Question. You say the governor came here after the war?

Answer. I think he came here during the war.

Question. He was not a native of Florida?

Answer. No, sir.

Question. Who is your State comptroller?

Answer. Robert H. Gamble.

Question. Where does he live?

Answer. At Tallahassee, the capital of the State.

Question. Have you a State treasurer?

Answer. Yes, sir.

Question. Are both those officers appointed by the governor?

Answer. Yes, sir.

Question. Excepting this assault upon you on a Sunday by the man Jones, you have not been personally injured in any way since you have been in Florida?

Answer. No, sir.

Question. What was his first name?

Answer. His name is T. P. Jones.

Question. When you had that election, and the majority was cut down from the causes you have stated, whom did you elect to the legislature?

Answer. Frederick Hill, Harry Crews, and myself.

Question. Were you all white men?

Answer. No, sir; the other two were colored men.

Question. Two colored men and yourself were elected to the legislature at that election?

Answer. Yes, sir.

Question. You spoke of the apparent organization of those men who blocked the polls on that day. I will ask you whether there was not also an organization of the black men who came over to vote there; did they not come over in a body and march regularly to the polls at that time?

Answer. No, sir; not to my knowledge; I saw nothing of the kind.

Question. Were you present?

Answer. Yes, sir; all day.

Question. You say they did not come over in a body?

Answer. No, sir; not that I saw at all.

Question. You say that certain arrests were made of Allison and somebody else?

Answer. Yes, sir.

Question. Were they made by the United States marshal?

Answer. Yes, sir.

Question. Who is the United States marshal?

Answer. Sherman Conant.

Question. Was he there present, or did his deputies make the arrest?

Answer. He was not present at that time.

Question. When did the marshal come to Florida?

Answer. In 1865, to the best of my knowledge.

Question. Where did he come from?

Answer. I think Massachusetts is his native State.

Question. What is the proportion of blacks and whites in the town of Quincy, where this election was held?

Answer. Of voters?

Question. Yes; you spoke of 1,400 being the entire poll.

Answer. I said there were about 1,400 blacks, and about 1,000 whites, in the county.

Question. You said that in the town of Quincy the proportion of blacks was much greater.

Answer. Yes, sir.

Question. What was the proportion in the town of Quincy?

Answer. The town itself is very small, but the precincts around the town are thickly settled.

Question. The vote of the town is not separated from the vote of those precincts?

Answer. No, sir.

Question. What is the vote of the precinct in which the town is included?

Answer. Our precincts are not regularly divided off, but those present that day, I should judge, were about 800 blacks and 500 whites, to the best of my judgment.

Question. What is the population of Jackson County?

Answer. It is larger than that of Gadsden County in population, but just about how much I am not informed.

Question. Do you know the relative vote of the different colors?

Answer. There is a larger proportion of blacks in that county.

Question. The blacks are in the majority in Jackson County?

Answer. Yes, sir.

Question. And have a larger proportion of votes there than in the other county?

Answer. Yes, sir; than in Gadsden County.

Question. You cannot give the precise figures?

Answer. No, sir.

Question. You mentioned the case of a ferryman who was shot by the river side.

Answer. Yes, sir.

Question. Was that in the day-time?

Answer. It was about 12 o'clock at noon, high noon.

Question. It was in the day-time?

Answer. Yes, sir.

Question. Do you know how many men were engaged in the assault on him?

Answer. There were three or four of them.

Question. Is it known who they were?

Answer. I do not know, but I think it is known; they are unknown to me; I am not acquainted with them.

Question. Was that in a wild and thinly settled part of the country?

Answer. It was.

Question. Have you had any of those persons indicted?

Answer. No, sir.

Question. Will you tell me why it is that, with the entire machinery of the State in the hands of the party with which you act, from the governor down, you do not indict these parties for these murders?

Answer. Just simply because—

Question. I will also add, with the United States tribunals here, with officers who, I suppose, desire to bring these parties to justice.

Answer. I do not think the State government, or the republican party, has any more control in Jackson County now than if they did not exist.

Question. Yet the governor has the nomination of those officers who control it?

Answer. They would shoot them and kill them as fast as they could be appointed, unless such were appointed as they would recommend.

Question. I have asked you the question, and you can answer it.

Answer. The Government has actually no power in that County; the courts have no power there, from the best information I have. And, as a general thing, more than half of the jurors are men who do not seem disposed to check these things.

Question. Have you not, in this State, the power to change the venue, where the prosecuting officer has reason to believe a fair trial will not be reached?

Answer. I think not on the part of the State.

Question. That power lies only with the defendant?

Answer. Yes, sir; I think so.

Question. You say your law does not permit a change of venue on behalf of the prosecution?

Answer. I think not; that is the best of my knowledge now, and I am pretty positive that it does not.

Question. I presume your United States juries are summoned by your marshal?

Answer. Yes, sir.

Question. Where does the United States court sit?

Answer. At this place, at Tallahassee, and also at Pensacola.

Question. You have spoken of Jackson County; is there any other portion of the State which you would place in the same category as that as to its anarchical condition?

Answer. Not that I have so much knowledge of as I have of that county, because that adjoins the one in which I live.

Question. Having been agent of the Freedmen's Bureau; being now the speaker of the house of representatives of this State; having lived here since 1866, I will ask you whether you have confined your statements to the county of Jackson, or do you extend them to other portions of the State; and, if so, to what portions?

Answer. So far as my knowledge goes, that county is the only one entirely and effectually in the hands of a mob; it is virtually under the control of a lawless band of men.

Question. Now, about these manuscripts which you have given in evidence here; this gentleman, Mr. Dickinson, I find, by an examination of this affidavit, was a justice of the peace; had he any other office than that?

Answer. Not that I know of, except that of clerk of the court.

Question. You knew that he was a justice of the peace?

Answer. Yes, sir; I think I was aware that he was.

Question. All these papers were found on his person?

Answer. Not on his person, but among his personal effects.

Question. You know nothing more of them than that fact?

Answer. That is all.

Question. Did you know Samuel Fleishman, whose name is signed to this affidavit?

Answer. I knew him before he was killed.

Question. Was he also killed?

Answer. Yes, sir.

Question. When?

Answer. A few days after that affidavit was made.

Question. Do you know by whom he was killed?

Answer. No, sir.

Question. Was it known by whom he was killed?

Answer. Not to my knowledge.

Question. These memoranda came from the personal effects of Mr. Dickinson?

Answer. Yes, sir.

Question. Do you know anything about what they mean?

Answer. Only from their contents and from conversation with him and others.

Question. Are the facts there stated within your knowledge in any way at all?

Answer. Not within my personal knowledge; I was not present in the county.

Question. You merely furnished these papers, at the request of the chairman, as papers found in this gentleman's possession at the time of his death?

Answer. Yes, sir.

By the CHAIRMAN:

Question. In his possession, and in his handwriting?

Answer. Yes, sir.

By Mr. BAYARD:

Question. You spoke of some desperado or rowdy there?

Answer. Yes, sir.

Question. Who was he?

Answer. A man by the name of Lot.

Question. Who killed Yerty?

Answer. Yes, sir.

Question. And was suspected of having something to do with the assassination of Dickinson?

Answer. He was accredited with that.

Question. Have attempts been made to capture him?

Answer. I suppose there have been.

Question. Has process been sued out against him?

Answer. Not to my knowledge; I have heard so.

Question. Was it quite well known by you and by gentlemen of your circle of ac-

quaintance and political sentiment that this man was suspected of complicity in these crimes; was it quite notorious?

Answer. He has a notorious character throughout the State, and has borne it for some years.

Question. You do not know whether any steps have been taken to bring him to justice before the tribunals of this State or of the United States?

Answer. Not to my personal knowledge.

Question. Do you know whether he is in the State at all?

Answer. I do not.

Question. You spoke of a supposed sympathy with him in his wicked acts, and illustrated it by saying that some persons had said they would give him their best horse. Did any one ever say so to you, or do you know of your own knowledge who did say so?

Answer. No, sir; I do not.

Question. In speaking of these matters are you doing more than repeating the rumors which come to you second-hand?

Answer. It is information to me.

Question. Are you able to give the name of a single man in the State who said he would give that man his best horse?

Answer. No, sir; I could not give the name of any man who said so.

Question. You have been informed that men had said so?

Answer. Yes, sir.

Question. Without knowing who the men were; is that the fact?

Answer. Yes, sir. Those expressions were so frequent that I do not know that I would ask who the men were who made use of them.

Question. I asked you if you knew, in order that we might be able to tell whether those men were responsible men, or some such characters as Lot himself.

Answer. I understand your object.

Question. That is my reason for asking you; and I understand you to say that you are unable to tell me?

Answer. Yes, sir.

By the CHAIRMAN:

Question. What was the feeling among the democratic part of the community, the masses of them, in respect to the killing of these men; what was their feeling, manifested either by conversation or through the press?

Answer. So far as my knowledge extends, there was an expression of approval throughout, except some few expressions of regret that it should have been done. I will say that the usual expression was one of approval. The press approved it in this way: they said it was done for money, and gave other excuses. The editor of the Quincy Journal stated, when the affair first occurred, that it was a political murder. Afterward, in his paper, he asserted most positively that it was not political.

Question. Did he intimate who had committed the murder?

Answer. No, sir.

Question. Or the kind of person who had done it?

Answer. No, sir.

By Mr. BAYARD:

Question. You were asked by the chairman whether the democrats expressed a general joy over these assassinations. Can you give the name of a democrat there who did express joy over them?

Answer. I would not want to give the name of any man who expressed joy.

Question. You heard the question of the chairman, and I understood you to reply in the affirmative. I want to know something more accurately about these things. I consider that a man who would do that would stand before the public very much discredited, and I do not desire to hear such a wholesale charge as that made without some specification.

Answer. It is almost impossible to describe these things, they are done in such a way.

Question. I think, having made the answer you did to the chairman, that it is proper you should answer my question more specifically.

Answer. I could not give the name of any particular person who rejoiced at those assassinations.

Question. Did you ever hear any such expression yourself from any one?

Answer. I have heard men talk of it and give general excuses for it, or rather endeavor to turn it off on something else, saying that some negro killed the man. I have heard others say that the radicals had him killed for political effect. I say that those things are done for a purpose; I do not call it rejoicing.

Question. Is that the kind of statements that you meant you had heard made when you gave your reply to the question of the chairman?

Answer. Yes, sir.

Question. You do not mean that you had heard any justification or excuse offered for the act itself, for the killing of the men?

Answer. No, sir; only in that indirect way.

Question. Do you mean to say that the excuse was that a man was killed for money, for robbery?

Answer. Yes, sir.

Question. Is that what you mean by its being an excuse, a palliation?

Answer. Yes, sir. I have reason to believe and know that no man actually believed that Dickinson was murdered for any other reason than because he held the political position he did.

Question. That is your opinion given here of what you believe the opinion of other people to be. The chairman has gone further, and asked you as to facts existing in your community. You gave at first a certain affirmation to his question, which, I admit, was one plainly put for the purpose of being answered in that way.

Answer. You understand that my reason for thinking so is the light expressions that are made use of in that way.

Question. Not to do you injustice, or to allow you to misunderstand me about it, I will ask if you mean that it is your belief that the man was killed because of his political opinions?

Answer. Yes, sir.

Question. And you say that other men of the opposite party say it was not so, but that he was assassinated for his money?

Answer. Yes, sir.

Question. Or assassinated by some negro, or killed for some other reason than the one you believe to have been the reason?

Answer. Yes, sir.

Question. I understand you to say that the giving of such reasons is held by you to be an excuse on their part for the crime?

Answer. Yes, sir.

Question. That is the extent of your meaning?

Answer. Yes, sir.

Question. That puts a very different phase upon it from what your answer did to the question in the first instance.

Answer. I have endeavored to explain what I meant.

By the CHAIRMAN :

Question. Do I understand you correctly to say that, in your opinion, these excuses that were made, or the reasons that were assigned, were not real, and were not felt to be real, and were not believed by those who made them, but were put forward in a frivolous, trivial, and altogether insincere tone?

Answer. Yes, sir; that was my interpretation of the remarks that were made. There were further expressions; some asserted that he was killed by a negro man because of familiarity with his wife. All those things were said simply to make the injury worse by casting an imputation upon his reputation. I call it rejoicing in that way.

Question. You could understand from the tone and manner of people in speaking of a transaction of that kind whether they were regretting it or whether they were, in fact, glad that it had been done. There was no mistaking what the feeling of men is when they are talking in that way?

Answer. That is my reason for giving my opinion, based on the expressions and the manner of expression.

Question. In such cases a great deal more depends upon the manner of expression, sometimes, than upon the particular language used?

Answer. Yes, sir.

Question. You spoke of this proceeding against Allison in the Federal court?

Answer. Yes, sir.

Question. Was that proceeding under what is called the enforcement act?

Answer. Yes, sir.

Question. Had you been examined as a witness when Jones attacked you with a knife?

Answer. I had not.

Question. Were you subsequently examined?

Answer. Yes, sir.

By Mr. SCOFIELD :

Question. The court was about sitting where that case was to be tried?

Answer. Yes, sir; I suppose I had been examined before the grand jury, but not before the court. This was a day or two before the court met.

Question. And there was some excitement in your town about the case that was to come before the court the next day?

Answer. Yes, sir; the only astonishing thing to me about it was that men who pro-

fessed to be men in favor of law and order stood there, about twelve or fifteen of them, and there was not a hand raised to stop it. I just browbeat the man off by telling him that I was not afraid of him, and that I would meet him at any time. He said that he had had difficulty in finding me; that he had been looking for me for some time.

By the CHAIRMAN:

Question. Was it true that there had been any difficulty in finding you? Had you been concealed at all, or had you been going about publicly?

Answer. I had been going about publicly except at night. I had not exposed myself at night since last election.

Question. Why not?

Answer. Just from the state of things there.

Question. You consider it unsafe to do so?

Answer. Yes, sir; my greatest fears were of men from this county of Jackson. I was informed by the sheriff of that county that four men had been over and had offered their services to the citizens of Quincy, if they wanted to get rid of any man—had offered to do it for them; and they had been told there that there was no such work for them to do, and they had then gone back to Jackson County. The sheriff is a conservative man, a democrat, and a very business-like man. He informed me of this, and I thought it prudent for me not to expose myself to marauders passing around through the country.

By Mr. BAYARD:

Question. You refer to those of your own county?

Answer. Yes, sir.

By the CHAIRMAN:

Question. You have been asked about Dickinson; how long before his death had he been appointed clerk?

Answer. He was appointed immediately after the death of Dr. Finlayson, in 1869.

Question. Previous to that time had he been a justice of the peace?

Answer. I think so; I am not so very familiar with the organization of that county.

Question. Have you any information that you deem reliable in regard to the organization I have been inquiring about, as to its character, or the manner in which it is bound together?

Answer. No, sir; I have not.

Question. Do you know whether its members are bound together by oath?

Answer. I do not know personally.

Question. I do not ask of your own personal knowledge alone, but whether you have information that you deem reliable.

Answer. Only rumor.

Question. You have been asked in regard to the state of things outside of Jackson County. Have there been violations of law in other parts of the State?

Answer. I have heard of them frequently.

Question. But not to the same extent as in Jackson County?

Answer. No, sir.

Question. Do you know what effect the passage of what is known as the Ku-Klux bill of Congress has had?

Answer. It has had a very quieting effect; a very salutary effect, I think.

Question. You have told us that you were an agent of the Freedmen's Bureau; how long did you act in that capacity?

Answer. For two years.

Question. So far as you could observe, what was the effect of the Freedmen's Bureau in its operations, favorable or unfavorable?

Answer. Very favorable; it seemed to me to be an indispensable organization at that time.

Question. Do you think it was just and equitable both to the colored and the white people?

Answer. Yes, sir; equally so in regulating the system of labor.

By Mr. BAYARD:

Question. When Allison was tried, how was his jury composed?

Answer. Do you mean were they black or white?

Question. Yes.

Answer. Really, I cannot say; there were some black men and some white men upon the jury. To the best of my recollection there were more white than black men on the jury; I know that both colors were on the jury.

JACKSONVILLE, FLORIDA, *November 10, 1871.*

EMANUEL FORTUNE (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now live, and what is your occupation?

Answer. I am going on thirty-nine years old; I was born in Jackson County, in this State, and I now live in Jacksonville. I work at the carpenter's trade now when I work; I was formerly a shoemaker, but I do not follow that now on account of my health; I am a common laborer, not much more.

Question. When did you leave Jackson County?

Answer. In May, 1869.

Question. Why did you leave there?

Answer. There got to be such a state of lawlessness and outrage that I expected that my life was in danger at all times, and I left on that account; in fact I got, indirectly, information very often that I would be missing some day and no one would know where I was, on account of my being a leading man in politics, and taking a very active part in it. That was the cause of my being very obnoxious to the people; I was one of the most prominent men in that county; I was really the only one that did go through all the combats that were fought with Major Purman and Mr. Hamilton in organizing the party there.

Question. Is that Mr. Hamilton the one who was lately your member of Congress?

Answer. Yes, sir.

Question. Do you know anything about the Ku-Klux organization there?

Answer. I do not know anything personally; I have never seen any, but I believe they are there as much as I believe anything. There is a man who saw two disguised men there about eight feet high, in the moonlight, sitting in a place where they finally killed a man.

Question. Who was it that they killed?

Answer. Calvin Rogers.

Question. Was he colored or white?

Answer. He was a colored man.

Question. Had there been any men killed in your county before you left?

Answer. Yes, sir; several were killed; Dr. Finlayson was killed for one, and Major Purman was shot at the same time; three men were called out of their doors and shot; some were shot through the cracks of the houses, and others as they were going into the houses. I do not remember their names, but there were a great many cases of that kind before I left; I was told by my friends that there were men staying around my place as though for no good purpose; I expected that my days were very few, and I thought I would leave for a while; I did not expect to move from there when I left, but it kept getting worse; my parents wrote me not to come back; I started once and got back as far as Live Oak, and met a friend there who told me that there was a row just over the river, and that the same band of men had killed a prison-guard and two citizens; I came back, and soon got letters from my friends not to go back there at all.

Question. Did you ever get any written notice to leave?

Answer. Not by name; I did with others; it was addressed to Major Purman & Co., and I considered myself included.

Question. Did you ever hold any official position?

Answer. I was then a member of the legislature, and in 1868 I was a member of the constitutional convention.

Question. And subsequently a member of the legislature?

Answer. Yes, sir; I was a member of the legislature from that county upon the reorganization of the State government.

Question. Did you ever hear any threats from any quarter going to show that you or your race were in danger?

Answer. I cannot say that I have heard that my race was in danger, but I have heard that "those damned politicians should be got rid of;" it was a kind of indirect expression made by the crackers, &c.

Question. Did you hear any expression in reference to your people having a right to vote?

Answer. Yes, sir; I have had a great many arguments in reference to that. They would argue very strongly against it. I would talk very liberally with them, and they generally respected me to my face. I have had a great many arguments with them, and they always spoke very bitterly against it.

Question. What language would they use?

Answer. "The damned republican party has put niggers to rule us and we will not suffer it;" "Intelligence shall rule the country instead of the majority;" and all such as that. They always said that this was a "white man's government," and that "the colored men had no right that white men were bound to respect."

Question. Did you hear such language as that used?

Answer. Yes, sir; I heard it used privately, and I also heard the public speakers use it. Mr. Barnes, who ran against Colonel Hamilton for Congress, made a very bitter speech of that kind on the public stand; he said that this was a white man's government, and that colored men had no rights that white men were bound to respect.

Question. Did he call them colored men?

Answer. No, sir; he said "niggers."

Question. How has it been in other counties in the State besides Jackson?

Answer. I could hear rumors of difficulties in Columbia County and in Alachua County.

Question. Have you seen persons from those counties?

Answer. I think there are persons living here to-day who had to flee from Columbia County, and also from other counties. They talk with me and tell me of their difficulties, but I do not know them again when I see them. There will be some witnesses here from Columbia County who can inform you about that.

Question. What was the feeling in Jackson County in regard to your people having their freedom?

Answer. It was a very strong feeling of opposition, but then that feeling seemed to have died out. They then adopted their bogus constitution, and had everything they wanted and became reconciled. After the reorganization of the State they became very much opposed to the rights of suffrage; that seemed to make them very bitter; they took everything better than that.

Question. What is the feeling in respect to your people voting?

Answer. They are generally opposed to it; they speak bitterly against it.

Question. How do they regard your people getting land and owning it for themselves?

Answer. Well, they generally do not interfere with them much, not in that line.

Question. Are they ready to sell them land?

Answer. No, sir; they will not sell land; we have to purchase land from the Government, or from the State, otherwise we cannot get it. They do not sell our people any land; they have no disposition to do so. They will sell them a lot now and then in a town, but nothing of any importance.

Question. Have you ever known of anybody in Jackson being punished for any of these crimes?

Answer. Not one.

Question. Why has it not been done; what is the difficulty in the way of doing it?

Answer. No one could ever anticipate who did these things; that was the grand reason; everybody would wonder who did it; it was always done in such a way that no one could state who did it. As a general thing if they suspicioned a man, either the officers or any of us, they would always arrange the testimony so as to prove that he was at such and such a place at the very time the thing was done. They are perfectly organized.

Question. Are you satisfied from your own knowledge, or from reliable information, that there is an organization which commits these killings and other injuries of which you speak?

Answer. I am perfectly satisfied of that in my own judgment.

Question. What is the purpose of that organization, do you suppose?

Answer. Well, the object of it is to kill out the leading men of the republican party; that is all I know. They have never attacked any one but those who have been somewhat prominent in the party, men who have taken prominent stands. They generally respected me very much; I always conducted myself genteelly among them. Captain Dickinson, who got killed there, said to me a year ago, when he was down here attending to the census, "Fortune, you could go back to Jackson County and live if you would; you would not be hurt." I said, "Could I go back there and be a free man as I was when I was there before; to use freedom of speech and act in politics as any man would want with his own people—will I be safe to do that?" He said, "No, you will not; you will have to abandon that if you go back."

Question. Did you live in that county before the war?

Answer. I was born and raised there.

Question. Had you been a slave?

Answer. I was.

Question. How much education have you?

Answer. None, only what I have got by my own perseverance.

Question. Did you get that before the war, or since emancipation?

Answer. I learned to read before the war; since the war I have learned to write.

Question. What is the feeling in regard to colored schools?

Answer. I do not rightly know how it is now. At the outset, after freedom, they disturbed our schools a great deal, until we raised a kind of band to protect our schools. We complained to the marshal several times, but he did not do anything. They were afraid at that time of a difficulty with us, and they subdued their own fellows who

were interfering with us; they got scared. We have not been interfered with in the school line since. They were mistreating our children, stoning them, and talked about mobbing the teachers, and all such as that; that was before the right of suffrage was given to us.

Question. Where have your teachers come from?

Answer. We have had no teachers there only such as we could get around there.

Question. Of your own color, mostly?

Answer. No, sir; they were white. At that time we had a man from New Orleans, I think; I do not know certainly where he was from; he was not a good man, any way, and he did not stay very long. After that several companies detailed soldiers to teach for us while they had nothing else to do in their quarters.

Question. You say the teachers at the time were a great deal molested and disturbed?

Answer. At the outset, yes, sir. We never had any public schools, only private schools, such as we could get up for ourselves; the Government had not done anything for us in the way of schools. Before I came from there we got up our own schools, got our teachers, and paid for them ourselves.

Question. How were your churches kept up?

Answer. They did not interfere with the churches at all.

Question. Were your preachers interfered with at all?

Answer. No, sir; they were never molested that I know of, until recently I heard a rumor that one or two of them have been shot at or shot, I do not know which; I have never heard the straight of it.

By Mr. BAYARD:

Question. When you speak of "the outset" do you mean just after the war closed?

Answer. Yes, sir.

Question. Have you had any trouble during the last three years or so, from interference with your children going to school, &c.?

Answer. No, sir.

Question. What were the ages of the people by whom your children were interfered with?

Answer. Boys of sixteen and eighteen.

Question. Rude boys?

Answer. Yes, sir.

Question. That was the interference you speak of?

Answer. Yes, sir.

Question. Did you ever have any interference from grown people?

Answer. None from grown men; there might be some few men, about twenty-one or so, but they were considered only older boys.

Question. They stopped in 1868, and you have had nothing of the kind in the last two or three years?

Answer. No, sir.

Question. You spoke of the difficulty of obtaining land; is it not very abundant in Florida?

Answer. Yes, sir.

Question. And cheap?

Answer. Not very cheap.

Question. If you wanted to buy a farm what could you get a pretty good farm for here; how much an acre?

Answer. Cultivable land over there was generally worth from ten to fifteen dollars an acre.

Question. You could get a good piece of land for that?

Answer. Yes, sir.

Question. What did you get Government lands for?

Answer. I think the State lands were one dollar and a quarter an acre.

Question. And you could obtain lands for how much under the homestead law?

Answer. I have forgotten the terms of the homestead law; but a great many of our people take up homesteads.

Question. Can you buy all the good lands you want for ten or fifteen dollars an acre?

Answer. Very poor people cannot afford that.

Question. You can get it if you have the money?

Answer. They will not sell it in small quantities. I would have bought forty acres there if the man would have sold me less than a whole tract. They hold it in that way so that colored people cannot buy it.

Question. Do you think it is held so that they cannot buy it, or does the set of buildings on a farm make too big a piece for a poor man to buy?

Answer. No, sir; the quarters are excluded from the cultivable land. The lands we cultivate, generally, are swamp, or hommock, or lowlands.

Question. There is an objection to selling small quantities of land?

Answer. Yes, sir; and that is really the great obstacle in the way of colored people getting land.

Question. Is there not plenty of other land to buy?

Answer. Not that is worth anything in that county. I do not know of any Government land there that will raise cotton.

Question. How about other parts of Florida?

Answer. I do not know about other parts; I believe in some other counties they do better. For instance, in Marion County and in Alachua County they get better lands there as homesteads than in other counties. But the homesteads in Jackson County are of no account at all—very poor.

Question. The good lands are all occupied?

Answer. Yes, sir; all taken up.

Question. Have you a State system of public schools?

Answer. Yes, sir.

Question. Why are the schools not established in that county?

Answer. I do not know why the authorities do not go over there and establish them. I got after the superintendent of schools to go over there, but he did not go.

Question. Who is the superintendent of common schools?

Answer. Mr. Chase was at the time I was attending over there. I suppose he was afraid. It was such a bad place that they naturally didn't want to go there.

Question. Mr. Chase is superintendent of public schools?

Answer. He is not now.

Question. Who is now?

Answer. I do not know.

Question. Was he appointed by the governor?

Answer. Yes, sir.

Question. Where was Chase from?

Answer. From Michigan.

Question. He came here after the war?

Answer. Yes, sir; and went North and died.

Question. Who is the present officer?

Answer. I do not know; he is a stranger to me.

Question. You spoke of the assassination of Dr. Finlayson?

Answer. Yes, sir.

Question. That was in March, 1869?

Answer. Yes, sir.

Question. And the same shot that killed him struck another man?

Answer. Yes, sir; or another shot.

Question. Was he a white man or a colored man?

Answer. He was a white man; a clerk of the court in Jackson County.

Question. You were a slave before the war?

Answer. Yes, sir.

Question. You had learned to read?

Answer. Yes, sir.

Question. Could you read with ease?

Answer. I could read tolerably well.

Question. Could you read writing at all?

Answer. No, sir.

Question. You have learned to write since the war?

Answer. Yes, sir.

Question. By what year had you learned to write?

Answer. I began to learn in 1867, but I could not write much writing till 1868. I cannot write it very well now.

Question. When were you elected to the State constitutional convention?

Answer. In 1868, I think.

Question. You served through the convention that framed the constitution in this State?

Answer. Yes, sir.

Question. When were you elected to the legislature?

Answer. That summer, I think; the legislature, I think, met in July.

Question. You were elected from Jackson County?

Answer. Yes, sir.

Question. Who were your colleagues from that county?

Answer. Major Purman, Jesse Robinson, and Mr. McMillan.

Question. Were they colored people?

Answer. Robinson and myself were colored; the other two were white men.

Question. Where did Major Purman and Mr. McMillan come from?

Answer. McMillan is an old citizen of Jackson County; I think he was born in Alabama, but he has been in Jackson for many years. Major Purman is from Pennsylvania.

Question. He came here since the war?

Answer. Yes, sir.

Question. Was Robinson any better educated than you were?

Answer. He could read writing better than I could, but he could not write any better, and he could not read print any better.

Question. Are you still a member of the legislature?

Answer. No, sir.

Question. When did your term expire?

Answer. Last November.

Question. Who are the present members of the legislature from Jackson County?

Answer. Major Purman is the senator, and Ben Livingston is the only assemblyman there is.

Question. Who is he?

Answer. I understood Major Conant to say that he would be here in a day or two.

Question. They have sent for him?

Answer. Yes, sir.

Question. He is living out there now?

Answer. Yes, sir. There was another poor man who always went with us, and took sides with us, and acted very prominently in the republican ranks, and he was elected to the legislature, but he was really afraid to serve, and he resigned: he was a poor white man. The other democrat who was elected died since; he was one of the bitterest tools they had.

Question. Did he die a natural death?

Answer. Yes, sir; he died of congestion of the brain, I believe.

Question. What is the voting population of Jackson County?

Answer. It is between twelve and fourteen hundred.

Question. Altogether?

Answer. No, sir; it is about twenty-one hundred altogether.

Question. How many colored voters are there?

Answer. Between twelve and fourteen hundred; somewhere along there.

Question. You have a pretty large majority of the colored votes there?

Answer. Yes, sir.

Question. How many white republican voters are there in that county?

Answer. I suppose that the highest we have polled is about one hundred; we have had two or three little discussions in different places in the country.

Question. You took a leading part in politics in your county?

Answer. Yes, sir.

Question. Did you make political addresses all over your county?

Answer. Yes, sir.

Question. Were you personally injured by your opponents?

Answer. No, sir; they never would attack us openly; that is not their way of getting revenge, they are too sharp for that.

Question. They treated you civilly to your face?

Answer. Yes, sir.

Question. Had you any trouble in getting all your votes in at the polls?

Answer. Not while I was there; I canvassed the State twice for a State election. I was very prominent in the party, and they had a great deal against me.

Question. In canvassing the State, you spoke wherever you saw fit?

Answer. Wherever there were appointments.

Question. To large audiences?

Answer. Yes, sir.

Question. Did you do so without hindrance or molestation?

Answer. Yes, sir; at that time.

Question. All over the State?

Answer. Yes, sir. There was a disposition in Monticello to make a disturbance, but the better citizens soon suppressed it. I spoke of John Brown, and some fellow drew a pistol, or it was said that he did, but the better citizens soon gathered him and hustled him out. I did not see it myself, but I heard of it afterward.

Question. Was that the only occasion?

Answer. I went with Colonel Hamilton to Walton County to inform the people there of the constitutional convention, and to get the republicans there to go in favor of the convention. He and I went into the court-house; the audience, of course, were generally back country people, very poor people. After the meeting, at which he and I both spoke, we were informed that while speaking there was some disposition for a disturbance. After the meeting we all dispersed, and in going to the hotel some colored men came to us, and we were advising them what to do on the day of election. After they came several more came, and there was a right good bunch around us, some eight or ten. The white fellows, who were off at a store not very far off, got very bitter about it, as they did not want us to communicate with them at all. They came hustling up toward us, and Colonel Hamilton, I suppose, got mad, for he spoke very abruptly to

them. They pitched right in for a fight, and there was quite a scuffle. Men were going to cut him in the back, but I kept them off. One picked up a rail and it broke in two, and they turned and fled. It all ended by his tripping in the wild grass, and this fellow got on him and choked him. That ended the fight, because he considered that he had the best of it.

Question. Who was Colonel Hamilton?

Answer. He was the late Congressman from this State.

Question. A white man?

Answer. Yes, sir.

Question. Those were the only occasions where you had any trouble?

Answer. Yes, sir; in those days.

Question. You said what you pleased then?

Answer. I generally spoke pretty liberally.

Question. You have said that soldiers were sometimes detailed for your schools; what soldiers have you had in your county?

Answer. Some of the Seventh United States Cavalry.

Question. When were they up there?

Answer. In 1868 and 1869, I think; perhaps the latter part of 1867.

Question. A regiment or a company?

Answer. A company or a squad.

Question. Are there troops there now?

Answer. No, sir.

Question. Are you certain of that?

Answer. I think there are none there now.

Question. How long since there were any there?

Answer. Two years, I think; I do not know certainly.

Question. Since any troops were there at all?

Answer. Yes, sir. The last troops that were there were removed soon after Dr. Finlayson was killed.

Question. They were there when he was killed?

Answer. Yes, sir. Major Purman and Dr. Finlayson were going from a concert that the soldiers gave when they were shot; the soldiers had a kind of concert and they went to it, and were shot coming from that concert.

Question. Were the persons who shot them ever discovered?

Answer. No, sir.

Question. Were those discovered who killed Mr. Dickinson?

Answer. No, sir; not that I know of; I was not there then.

Question. Was Finlayson shot by a single assassin?

Answer. There were tracks of two men there who shot at Finlayson.

Question. You have no personal knowledge of any organization of these marauders in your county, of men who commit these acts of violence?

Answer. No, sir.

Question. You never saw a man disguised in the State anywhere?

Answer. No, sir.

Question. You never met any of these bands?

Answer. No, sir.

Question. You mentioned some one who said that he once saw two men eight feet high?

Answer. Yes, sir.

Question. Where?

Answer. Right on the side of the road.

Question. How long ago was that?

Answer. This summer two years ago.

Question. What other acts of violence do you know of as having occurred in that county, except the cases of Finlayson and Dickinson?

Answer. I know of a young fellow who was shot near by my house one night, through his leg; it was supposed that he was shot by mistake for Calvin Rogers, who was also shot in the same spot. He was about the same size and build, and wore a dress that was very much like the one worn by Rogers. It was supposed he was shot through mistake; he was an innocent boy that no one cared anything for.

Question. How old was he?

Answer. About nineteen or twenty; he was twenty, I think.

Question. How long ago was that?

Answer. In the summer of 1868 or 1869; I do not remember exactly.

Question. What other cases do you know of?

Answer. I do not know of any other cases except such as I have heard of in my county; I have heard of men being killed at different points.

Question. Can you give their names?

Answer. No, sir.

Question. Personally, you have no knowledge of any except those three cases?

Answer. No, sir.

Question. One occurred in 1863, one in 1869, and the other in the spring of 1871?

Answer. Yes, sir.

Question. Have you heard of any other acts of violence?

Answer. I have heard of some, but I do not know much about them.

Question. In the same county?

Answer. Yes, sir.

Question. Of what character?

Answer. There have been several persons shot there lately.

Question. Do you know anything of the particulars?

Answer. No, sir; I do not.

Question. Do you know any of the persons themselves?

Answer. I know one who has been shot.

Question. You say one has been summoned up here?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Was Dr. Finlayson an old citizen of Florida?

Answer. He was a native of this State.

Question. Was he a republican?

Answer. He was after the surrender and just before.

Question. He was a republican at the time he was killed?

Answer. He was, and went with us in everything; he took as active a part as a man could.

Question. What was his character as a citizen?

Answer. He was a doctor.

Question. Was he a man respected and esteemed?

Answer. Yes, sir; his relatives had been very highly thought of; he was from the first class of people. He was tried to be cried down and made small of after he joined the republican party; they said he was a rogue, and all this, that, and the other, just as they do all the republicans generally.

Question. That is a common thing on the part of their opponents to charge the republicans with everything that is scandalous and disparaging?

Answer. O, yes, sir; of course.

Question. You have been asked in regard to buying and selling land to colored men.

Answer. Yes, sir; that is the principal objection. There are no tracts there except large tracts of not less than 100, 200, or 500 acres; they will not sell 40 or 50 acres, or as much as a man could tend.

Question. Do you think a white man would be able to get 40 or 50 acres?

Answer. I do not know but he could.

Question. Have you heard people use any language to indicate an indisposition to sell land to colored people; did you ever hear the matter talked of?

Answer. No, sir; I do not know that I have ever heard anything said against selling land to them. It is my opinion that that is the understanding, that all understand one another, and work together for their own interest.

Question. You have been asked in regard to Major Purman, and you have said that he is a man who came here since the war; is that made any objection to him? Does anybody object to him because he has come here since the war?

Answer. I suppose that was one objection; and another objection was that he was a very fluent speaker. He would take a very active part and would go to his utmost strength for the success of the party. That was his way of doing generally when he was over there. The great objection was that he was a prominent republican and a leader of the people there. They said they "never could do anything with the damned niggers as long as Purman was there." That was the usual talk.

Question. Do you understand that it is made an objection in any part of your State to a man that he was not born in your State?

Answer. It has been spoken of very often that we have plenty of men of our own to rule our government, without having men to come here to do it for us. I have had a great many arguments on that. I said I thought that an American citizen was a resident wherever he stopped long enough to become a voter. They would claim that such men were not identified with the country as they should be.

Question. Do they make a distinction between northern men and southern men?

Answer. They made no distinction about men who joined the republican party, whether northern men or southern men. A northern man was a "damned yankee, who came here to rule us;" and a southern man who joined the republican party was a "damned sealawag, and there was no honesty about him; he was a traitor to his country and his race."

By Mr. BAYARD:

Question. Did you ever know any man in Jackson County, having land for sale, who

declared that he would not sell a small piece to a colored man, but would sell a small piece to a white man?

Answer. No, sir.

Question. You only know that there is a general indisposition on their part to sell their lands in small parcels?

Answer. Yes, sir.

Question. They generally prefer to sell it in parcels of 100 acres and upward?

Answer. Yes, sir.

Question. That is what you mean, and all you mean?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 10, 1871.

ROBERT MEACHAM (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now live, and what is your present occupation?

Answer. I am about thirty-six years old; I was born in Gadsden County, Florida, and I now live in Monticello, in Jefferson County; I am a State senator, and also register of the United States land-office.

Question. How long have you lived in Jefferson County?

Answer. I have lived there since May 30, 1866.

Question. Where did you live before that time?

Answer. In Tallahassee; I had lived in Tallahassee for about fifteen years before that, and before that time I lived in Quincy, in Gadsden County, where I was born and raised.

Question. What is the condition of your people in your part of the State; how are they getting along?

Answer. Do you mean about living?

Question. Yes.

Answer. They are getting along, I might say, tolerable; they are poor, it is true; they work hard and make very little.

Question. Are they procuring homes for themselves?

Answer. Very few of them.

Question. Why is that?

Answer. It is for the want of means to buy land; that is one reason; another reason is that they do not have a chance to buy the land.

Question. How so?

Answer. Those who have it will not sell it.

Question. Do you mean that they will not sell it at all, or that they will not sell it to colored men?

Answer. It is some of both; they will not sell it to colored men for one thing, and another reason is that they ask so much for it that colored people cannot buy it.

Question. Do you think there is any disposition among people who hold the land to prevent colored people from buying land and obtaining homes?

Answer. I think so.

Question. What would be the disposition of your people in that respect, if they had the opportunity?

Answer. I think most of them—not all—would try and get homes. I believe there will always be some who will not try to be of any account, but two-thirds of them or more would try and get homes.

Question. How has it been with regard to their contracts for employment; have they had much trouble in settling up fairly and getting their pay?

Answer. A great deal.

Question. What has been the difficulty?

Answer. In the first place a majority of them do not know how to make a contract for their interests. The farmers who make the contracts with them draw up the contracts in writing and read it to them. The colored people are generally uneducated, and when a contract says this or that they hardly know what it means. A great many of the contracts give the farmer a lien upon what portion of the crop is coming to them for any debt they incur. Another reason why they do not get much is, that in the months of August and September mostly, when the crops are laid by, the slightest insult, as they call it, or the slightest neglect, is sufficient to turn them off, and according to the contract they get nothing. The contracts are made in this way: articles of agreement are drawn up which provide that if either one of the parties of the first part or the second part violate any of the articles they are to be turned off and get nothing. Now that is remedied a little; there is a law now in this State that allows

a man to get what he works for, unless it is proven fairly that he has willfully neglected or violated any of the articles of agreement. In a great many instances about my portion of the country—I know this personally—you will find that for the slightest offense the laborers are turned off and get nothing.

Question. Does that occur before the crop is made, or after it is made?

Answer. In the months of August and September generally, when the crop is made; sometimes in July.

Question. When there is nothing to do about the crop except to gather it?

Answer. Yes, sir; in the month of July the corn is made, and they pull fodder here then.

Question. What is the difficulty in the way of your people going to the courts of justice and getting things put right?

Answer. There is a great deal of trouble in that way. A great many justices of the peace have the jails full of colored people for the most frivolous and trifling things. When the charges are examined into they are found to amount to nothing. You will find in other cases, where there is a good justice of the peace, who has some discretion and some judgment as to what is right, the jails are not full. In the county of Jefferson, where I live, there are very few in the jail, in comparison with some other counties that I know of.

Question. What do you think is the feeling in regard to allowing your people to vote?

Answer. Well, sir, there is not a very good feeling on the part of the white people of our country.

Question. What objection have they to it?

Answer. They say that a man ought not to vote, except he can read and write nicely, and owns \$250 or \$500 worth of real estate.

Question. Would that not exclude a great many white people from the ballot-box?

Answer. It would.

Question. Do they apply that rule to white people as well as colored?

Answer. They say so. They say they would like to have a law of that sort; but at the same time we know that it would exclude two-thirds of the colored people.

Question. What is the feeling in regard to educating your people, among this same people that want these qualifications for suffrage; are they in favor of schools to educate your people?

Answer. They say they are, but then they do nothing to help them; in conversation they will say they are in favor of them, but they will do nothing toward helping them.

Question. When schools are established do they help them along, and assist them in getting houses, &c.?

Answer. No, sir.

Question. Do any of them ever engage in teaching?

Answer. No, sir.

Question. How do they treat teachers of colored schools, when there are any?

Answer. They are mostly treated with contempt.

Question. How do they show their contempt?

Answer. They do not have anything to do with them; do not keep their company, and have nothing to do with them. I can say, and be correct, that in Jefferson County there have been twenty-three schools during the last year. The schools stopped in June and commenced in October. I think there were three young men, who were born and raised in this State, who were teaching colored schools there. They were very poor, and were teaching for a living. The school board were paying them \$25 and \$30 a month to teach schools in the country. Those young men are not respected at all.

Question. How is that want of respect shown—by any open manifestations?

Answer. Not by any violence, but they are just let alone in a quiet way; the people have nothing to do with them—will hardly speak to them.

Question. Are they young men of good moral character?

Answer. Yes, sir; they are poor, but there is nothing against their character.

Question. Where do they board?

Answer. They board in the country; I think one of them has a place of his own; in fact, I think two of them have places of their own, and one of them is boarding with a colored man, or living in a house with him. The house has some five or six rooms, and this teacher has a family, and boards in the house with him.

Question. Does he board there from choice, or because no white people will take him?

Answer. He says he cannot go anywhere else to board.

Question. White people will not board him?

Answer. No, sir.

Question. How have your elections been in your county; have they been quiet, or have you had any disturbance there?

Answer. There was one disturbance there.

Question. When was that?

Answer. Last fall.

Question. At the time you were elected.

Answer. No, sir; I was elected four years ago; I was elected when the governor was elected. My district is an odd-numbered district, and I served four years.

Question. What was the disturbance last fall?

Answer. A congressman and a lieutenant governor, all the members of the assembly, and one-half of the senate were elected last year. The election was held on the 8th day of November. Along during the canvass there had been some threats made about trouble, &c., but the colored people paid no attention to them; in fact, I might say, that the republican party paid no attention to those threats. A few days before the election, I, in connection with others, stated to all of our friends that we hoped there would be no difficulty; that they would not bring any guns or pistols with them, but leave them at home. Although I had heard these threats, I made use of this remark to them, that the 8th day of November would not be a day of war with cannon and musket, knife, and pistol, but a war with the ballot, and with the tongue. On the 8th day of November the polls were opened, and the election went on very nicely and quietly. There were precincts open in the country, and there were a great many people in town. Things went on in this way until about half past 3 o'clock in the afternoon. I had not voted then, and had been passing from one voting place to another; there were four voting places in that town—the county-seat. There was no disturbance, and, so far as I know all was quiet. After the difficulty, I heard that there had been some two or three insults and rows in the morning, but I did not know of them at that time. So far as I knew all was quiet up to half past 3 o'clock. We were voting at the court-house, the ballot-box was sitting right on the window-sill, and the people would walk up to the window and hand in their ballots to the managers of election. About half past 3 o'clock I was up within ten feet of the ballot-box; a majority of the white people had voted at that ballot-box, and they were all through at that time. As I walked up there I saw four white men standing right at the window, and there seemed to be no voting going on. Some of the colored men, quite a crowd of them, a hundred or more, were standing outside waiting to vote. Some two or three of them hollered out to me, "Mr. Meacham, the sun will be down directly, and then the polls will be closed, and the half of us will not vote; what will we do?" I said, "Go up to the polls and vote." I went up to vote, as I had not then voted. There was a man there by the name of William C. Bird. When I said that, he stamped and cursed and asked me if I intended to make those "niggers" crowd them out. I did not answer him; I heard him, but I walked off as if I had not heard him. Soon after he said that, he spoke out and said, "No damned nigger shall vote here." Still I did not answer him. I went down to another window of the same room where the inspectors were and called them, but I suppose they did not hear me. I walked back to where I had stood at first, when the negro man had spoken to me, and Mr. Bird again said the same thing—that "no nigger should vote there." I then started to go to the window, and crowded in the best I could; there was a greater crowd there. He asked me what I meant; if I meant to have them crowded out. Said he, "There are three other polls your colored people can vote at. This is our poll; it belongs to the white people." I then answered him and said, "Colonel, I do not think there is any one poll set aside for the white people, or for the black people. I only know that they are set aside for the citizens of the county." He said, "None of you niggers shall vote here." I pushed on until I got as close to him as I am to this gentleman, I suppose, [pointing to a member sitting about three feet from him,] when he said that I had told the colored people to crowd the white people out. I said that I had not, and he went on and called me a damned liar. I did not resent that, and finally he called me something else; he called me "a damned son of a bitch." I said, "Colonel, now I have not done anything to you; I have not insulted you; now you take that back." He said, "Well, I will die first." I said, "Colonel, you will have to take it back," just that way. I looked him right in the face; I was up to him then; we were both standing close to the ballot-box. He had on a pistol, a pretty large one, with a white ivory handle. When he said, "I will not take it back; I will die first," he drew his pistol part out. He did not put his other hand on it; I knew he could not cock it with one hand. A great many saw what was going on, and the report went out that I had been shot by Colonel Bird. In about ten minutes all the voting-places were closed on account of the excitement. Then you could see any number of white men coming up with arms. I suppose in about ten or fifteen minutes there were about a thousand colored men on the ground with arms, but not near so many whites. I suppose there were nearly a thousand shots fired off in the air, but no one was hurt at all. I heard some white men say, "We were prepared for you all with guns." I do not know this, but I was told by a man who said he was certain of it that there were about two hundred men there from Georgia. Jefferson County joins Georgia, and I am sure of one thing, that when the thing was first started, a great many men got on their horses and went off in the direction of Georgia, and did not return; I saw that myself. Finally the thing was quieted down and no one was hurt at all. That took up about

an hour and a half, and then the polls were opened, and they went on voting again. When the voting was over and the polls were closed, about five hundred people went home that night without having had a chance to vote.

Question. If they had voted, would they have voted the democratic ticket or the republican ticket?

Answer. They were all republican voters.

Question. Did all the democrats get their votes in?

Answer. Every one of the democrats had voted.

Question. Did any one hear these Georgia folks say what they had come there for?

Answer. Yes, sir, several heard them say; I heard men say so, but I do not know who they were.

Question. What did they say their object was?

Answer. They were armed, and said they had been sent for to come there.

Question. Did they intimate who had sent for them, or what they had been sent for to do?

Answer. No, sir; they did not say.

Question. Did they vote?

Answer. Not that I know of.

Question. Where did the colored people get all their arms so suddenly?

Answer. They must have had them somewhere; they were shot-guns mostly—double-barrel and single-barrel shot-guns. The threats that I told you about that had been made during the canvass, and up to the day of election, were known by the people all over the county. It was as common to hear of these threats as it is for you to look at your hand.

Question. Were you armed on that day?

Answer. I was not.

Question. Did your people exhibit any arms until this occurrence?

Answer. No, sir.

Question. How was it with the white people?

Answer. Some of them were armed with pistols.

Question. This colonel exhibited his revolver constantly?

Answer. Yes, sir; he had a pistol, and drew it on me.

Question. He did draw it on you?

Answer. He drew it out of its case.

Question. He did not bring it to bear on you?

Answer. No, sir.

Question. How did your difficulty with him end?

Answer. It ended in this way: some of his people, after a while, came to him and carried him off and locked him up in a store. Some of them came to me, and I said, "Well, if Colonel Bird will say that he did not say that, I have nothing more to do with it." I did not want to have any fuss. Colonel Bird sent word that he had not seen me that day, and he said whoever said he had insulted me told a falsehood. I said, "Well, I have nothing more to do with it." I do not suppose there would have been any fuss except that some one saw him draw his pistol out, and he got frightened and run off and said that Colonel Bird had shot me. I do not know that they would have done so about any one else but me. Colonel Bird is now indicted in the United States court.

By Mr. BAYARD:

Question. For that occurrence?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Did you vote?

Answer. Not at that voting-place; I went to another and voted.

By Mr. BAYARD:

Question. Colonel Bird has been indicted by the grand jury in the United States court?

Answer. Yes, sir.

Question. Did you go before them?

Answer. Yes, sir.

Question. And you testified to the facts that you have stated here?

Answer. Yes, sir.

Question. You caused him to be indicted?

Answer. I expect so. I was summoned.

Question. And you went there as a witness, and gave your testimony as you have given it to us?

Answer. Yes, sir.

Question. And he has been held to bail?

Answer. Yes, sir.

Question. When will he be tried?

Answer. I do not know.

Question. Was he intoxicated at the time?

Answer. He did not appear to be so to me.

Question. What is the whole poll in your county?

Answer. I think the colored vote there is 2,500 or 2,600.

Question. And the white vote is how much?

Answer. Not over 600 or 700.

Question. Then you are about four to one?

Answer. Very nearly; yes, sir.

Question. You were elected four years ago?

Answer. Yes, sir.

Question. You were elected to the senate?

Answer. Yes, sir.

Question. How many counties in your district?

Answer. Only one.

Question. Who were elected to the legislature when you were?

Answer. Powell, Mills, and Thompson.

Question. Were they all colored men?

Answer. No, sir; Powell was white.

Question. At this last election who were elected?

Answer. Johnson, Thompson, and Logan.

Question. Are any of them white?

Answer. One.

Question. Which one?

Answer. Johnson.

Question. Are the other two well known to you?

Answer. Yes, sir.

Question. Are they men of any education?

Answer. Yes, sir.

Question. Can they read and write?

Answer. Yes, sir.

Question. Both of them?

Answer. Yes, sir.

Question. When did they learn?

Answer. I do not know.

Question. Did they learn lately, or since the war ended?

Answer. I think one learned since the war ended, and the other learned before. I have been knowing one of them for five years, and he could read and write when I first knew him. I am not sure when the other learned.

Question. Were you bond or free before the war?

Answer. I do not know how to answer that exactly, for my father was my master and always told me that I was free. He died, and left me acting as a servant to his wife's sister. I do not know whether I was free or not.

Question. Did he give you any property in any way by his will?

Answer. Not that I know of.

Question. Did he give you any education?

Answer. He gave me money and started to send me to school once; I went to school for a day or two, and the third day after I commenced—there were a great many white children going to the school; it was a white school entirely—some of the parents of the children sent word to the teacher that if he was going to teach a nigger they would keep their children at home, and so I had to quit.

Question. Did you learn to read and write before this war came on?

Answer. Yes, sir.

Question. From your holding the office of United States register in the land-office in Florida, I suppose you are a good penman?

Answer. I can write.

Question. What offices have you held in Florida?

Answer. The first one was register under the reconstruction acts under General Pope.

Question. What was your next office?

Answer. I was a member of the constitutional convention in this State.

Question. To frame the constitution of the State?

Answer. Yes, sir.

Question. Then you were sent to the legislature?

Answer. Yes, sir.

Question. And you are there still?

Answer. Yes, sir.

Question. What other offices have you held?

Answer. I have been superintendent of schools in Jefferson County, and I was once clerk of the county court.

Question. What county is that?

Answer. Jefferson.

Question. Of the circuit court?

Answer. Yes, sir. The way it was in the first place was this: there were some seven or eight of us who were appointed by the governor, county judges, sheriff and clerks. At the time we were under the impression that these offices would not interfere with our holding seats in the senate. The governor appointed me clerk. After a while he found that the offices to which we were appointed were incompatible with our seats in the senate, and he called an election to fill the vacancies in the senate. I resigned the office of clerk and was re-elected and went back into the senate.

Question. Have you a system of public schools in this State?

Answer. Yes, sir.

Question. Schools in every county?

Answer. I do not know that there are schools in every county; there are a great many —.

Question. Have you a provision for schools?

Answer. Yes, sir; a large fund.

Question. There is the machinery to establish them everywhere?

Answer. There is a law.

Question. You spoke of a law regulating contracts between landlord and tenant?

Answer. Yes, sir.

Question. Have you such a law as that?

Answer. There is a law to this effect: it does not prevent a planter and a tenant from making any kind of contract they see proper, but it provides that whenever the tenant has worked anywhere for such a length of time he shall be paid for that portion of his work. At the same time you can be turned off and paid up to the time when you are turned off.

Question. It allows either party to void the contract at any period of the contract, by paying the proportion up to that date?

Answer. No, sir; it does not allow that. It is about like this: you cannot turn a man off without a good and lawful excuse, and without paying him for the time; but if there is a good lawful excuse, you can turn him off.

Question. Can he go off at any time?

Answer. If he does he loses his pay for what work he has done.

Question. You spoke of some of the contracts giving the landlord a lien on the tenant's portion of the crop for supplies advanced to him?

Answer. Yes, sir.

Question. Was not that necessary to be done when the tenant, as is generally the case, was a poor man; was it not necessary to advance means to support him while the crop was maturing?

Answer. Yes, sir.

Question. Was not that necessary?

Answer. Yes, sir.

Question. Have not your people anticipated the value of their portions of the crop by running into debt?

Answer. Some have and some have not.

Question. You being apparently a man of intelligence and a leading man among your own people, I will ask you if that has not been the trouble, to a great extent—that they have anticipated their shares by their expenditures when their crops was maturing, so that, when they came to settle up, there was nothing due to them?

Answer. Yes, sir; with a great many of them, that is the case.

Question. Is there not a great deal of improvidence in that way?

Answer. I think, perhaps, there is; I think that in a great many instances it is so.

Question. You think that at other times they have been treated unjustly?

Answer. I do.

Question. In the State of Florida, among decent and respectable people, what would be thought of a landlord who would let a man work in that way, and then turn him off upon some pretext, and not pay him?

Answer. It would seem hard to you or me.

Question. I am speaking of the respectable men of Florida.

Answer. Let me tell you one thing in the way of an answer; I have been told by gentlemen, by those that I call gentlemen, and I suppose that you or any of us would call them so, that there is a thorough understanding among them in the way of seeing that the colored people shall never have much; they are united one with another to see that that is done.

Question. That is not an answer to my question. You may go on and explain what you mean thoroughly; I will not stop you on that. I have asked you this question because you appear to be intelligent. What would be the opinion of respectable men of a landlord who would take from his laborer his wages in that way?

Answer. Some of them would condemn him; but I will say that, while there is a

general understanding with you and me about the thing; for instance, if you do it, I will agree with you, although I may talk against you.

Question. You believe, then, there is among the white employers of Florida a secret understanding and plan to defraud colored people of their gains?

Answer. I believe that there is some understanding with them that they will manage, in some way, to keep the colored people from having what they have justly earned.

Question. You believe that is the case?

Answer. I do.

Question. That is your feeling toward the white people of Florida?

Answer. I do not say that all of them will do that.

Question. You believe that, as a general rule, the white planters of Florida have a secret understanding to deprive the colored people of the fruits of their labor?

Answer. Of the full fruits of their labor.

Question. Have you instructed your people in that way?

Answer. No, sir; but I have told them to get homes for themselves; that they never would be much as long as they labored under these contracts.

Question. You endeavored, by your advice, to dissuade them from entering into contracts with white planters?

Answer. As much as possible; to go into contracts when they can do nothing else.

Question. As a last resort, they are to enter into contracts?

Answer. Yes, sir.

Question. That is your advice, generally, to your people?

Answer. Yes, sir.

Question. How many white people in your county, do you suppose, vote your ticket?

Answer. Not over six—the judge, the clerk, the sheriff, the collector. I think there are not over six.

Question. From your naming them as judge, clerk, collector, they are the appointees of the governor; he appoints them all to office, does he not?

Answer. Yes, sir.

Question. Those are the only white men in your county that vote your ticket?

Answer. Pretty much all.

Question. Does it come to this, that, under your advice and your belief, as stated here, of the unfriendliness of the whites toward your people, your parties are divided on the question of color and race?

Answer. There is no doubt about that.

Question. That is the basis of difference between you?

Answer. That is so, generally, but that is not all; there is something else.

Question. That is the chief cause?

Answer. Yes, sir.

Question. That forms your party?

Answer. So far as politics is concerned—

Question. It all comes to that in the end?

Answer. Yes, sir.

Question. Who is the justice of the peace in your county?

Answer. Under the constitution, the county judge is allowed to act as justice of the peace, and then there are—

Question. How many of your officials were colored men?

Answer. There are two justices of the peace.

Question. Both colored men?

Answer. There are two colored men who are justices of the peace, and then there are other justices of the peace besides them.

Question. What other county officials have you that are colored?

Answer. There is one to my knowledge in Leon County. Constables are elected by the people at the same time that they elect members of the legislature.

Question. The constable and members of the legislature are about all your elective officers?

Answer. Yes, sir, in the county.

Question. In your county that secures to you a man of your own color as a constable?

Answer. Yes, sir; we can elect whom we please, but we always divide among the few whites there; we will always give them some places.

Question. You recognize those men among you?

Answer. Yes, sir; we never put them aside; we would not do that.

Question. You still keep those six white republicans in office?

Answer. Yes, sir, and would be glad to get six more if we could.

Question. What was your occupation during the war and prior to the war?

Answer. I drove a carriage once, and superintended around my old boss—my father. Until I was eighteen years old, I never did anything more than to stay about him and ride in the buggy with him; he was a doctor.

Question. What is your age now?

Answer. I think about thirty-six; I am not exactly certain; but I think I will be thirty-seven next spring.

Question. Until the war closed, your position was that of a domestic servant?

Answer. Yes, sir.

Question. Are you pretty thoroughly acquainted throughout the State among people of your own color?

Answer. I am better acquainted in the middle counties than in the other counties.

Question. Are a great many of your color holding office through the State?

Answer. Not a great many of them; there are some justices of the peace and some constables who were elected, and some county commissioners.

Question. The county commissioners are appointed by the governor?

Answer. Yes, sir.

Question. Are a great many commissioners in the State colored men?

Answer. I do not know of a great many.

Question. How many do you know who are colored?

Answer. I know of three in my own county, and of three in the county of Leon; one in this county of Duvall, and I think there are two in Gadsden County.

Question. When your courts meet in your county, how are your juries composed?

Answer. They are mixed; some white and some colored.

Question. In about the same proportion as your voting population?

Answer. No, sir; they are never over one-half colored men, and very often there are two-thirds white.

Question. There are colored men on juries all over the State?

Answer. Yes, sir; we have some colored men on most of the juries.

Question. What is the official designation of the officers who conduct your elections?

Answer. They are called judges of election.

Question. How are they appointed?

Answer. By the county commissioners.

Question. And the county commissioners are appointed by the governor?

Answer. Yes, sir.

Question. And the party which has the governor has the county commissioners and the judges of election?

Answer. That is certainly so.

Question. Then, running the State in that way, the governor is really the key to your entire State government?

Answer. He has a great deal to do with it.

Question. He has the appointment of the officers?

Answer. The county commissioners are appointed and removed at his will.

Question. And he can remove some of the other officers?

Answer. Yes, sir.

Question. Does he appoint the State's attorneys?

Answer. He does; but after he makes an appointment, he cannot change it. When he appoints one *ad interim*, the appointment holds good until the end of the next session; he cannot change it.

Question. Can he remove him for misconduct?

Answer. No, sir.

Question. Can he be impeached by the legislature?

Answer. He goes out by not being confirmed.

Question. I am speaking of a man who has been confirmed; if he misconducts himself, can the governor remove him?

Answer. He cannot.

Question. There is no means of getting rid of an inefficient or bad officer?

Answer. Not until the meeting of the legislature.

Question. And they impeach him?

Answer. The governor recommends his removal, and, if the senate consent, he is removed. Another class of officers only go out by impeachment. The officers whose removal the governor can recommend to the senate are county judge, sheriff, clerk, State's attorney, and tax-collector, or collector of revenue. The circuit judges, the judges of the supreme court, and the cabinet officers are removed by impeachment.

By the CHAIRMAN:

Question. The white men in your county are pretty much all democrats?

Answer. Yes, sir, very near all of them; except five or six.

Question. There is nothing to prevent their joining the republican party if they want to?

Answer. Nothing at all.

Question. You have been asked with regard to labor; please state whether men who treat their laborers fairly and honestly, who give them a just and fair showing, have any difficulty in getting all the labor they want?

Answer. Not all.

Question. You have been asked as to your advice to your colored people to get homes of their own rather than to depend upon being hired. State whether that advice proceeds from the fact that in so many instances the hirers defraud the laborers out of their just wages?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 11, 1871.

HENRY REED (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, and where you now live.

Answer. I am about thirty-seven years old. I was born in Virginia, and now live in Jacksonville, Florida; I lived in Marianna, Florida, up to two years ago last month.

Question. Why did you leave there?

Answer. The night assassins, or the Ku-Klux, or something else, raided me so that I could not stay. I was doing very well there on a place I bought. They knew my principles—that I was a republican, and always have been. One night about 1 o'clock I was sick, as I am now, but a little worse; I had been to a doctor and got some medicine, and he told me to go home and take it, and rest quietly that night, and take very little exercise. At 1 o'clock that night there came a crowd of men there; they knocked, and told me to open the door. First they said that Mr. Dickinson, the bureau agent down there at that time, and who was assassinated there, wanted me at the court-house. I said, "Gentlemen, I am not able to go; tell Captain Dickinson please to wait until morning, and I will go down and see him then." They said, "You must go now." I said, "Gentlemen, I am not able to walk down there; it is impossible for me to go; please tell him to wait until morning." They said, "Come out here; you have got to go now." My wife got up, and I was going to make up a light in the house. One of them said, "Don't make up a light in the house." I was somewhat excited from the alarm, and being very feeble and sick, I said, "Let me get my coat and hat." They said, "You won't need any coat and hat; come out." My son, who is about fifteen years old, hoisted the window, and jumped out. They shot at him one gun as he ran through my garden-gate, and they put fifteen buckshot into the gate in a place the size of my hand. I cracked the door open a very small crack, and just as I could discern the men, I saw one standing at the corner of a house, with a double-barreled gun pointed right at my head. I shut the door, and went back into the house. They said, "If you don't come out of that house, God damn you, I will go back and get the balance of the company, and tear your house down, and blow your God damned brains out." I did not know what to do. Nobody had anything against me; I was apparently as square with the citizens as any man in the world; there was nothing against me on account of my behavior or character. At that time my wife came out, hollering, "My son is dead, and they want to kill my husband." The one at the gate got on his horse, and apparently went back for the rest of his company. I went back of the chimney to the kitchen part, and jumped out of the window. I went over to a rich neighbor of mine, and laid down there until 4 o'clock the next day. Then some friends came there and called me. I would not answer them until I recognized their voices. They took me to a gentleman's house, and there I staid, I suppose, about three or four days. He then took me in his hack, and fetched me and my wife and children to Quincy, and I have not been back there since. I had just bought a place, paid out a great deal of money for it, and had it fixed up real nice and comfortable, everything growing nicely, and ready for good living. They deprived me of everything I owned there in the world, and I have not had five cents from it. I hear very little, indeed, and it seems that I cannot hear from there.

Question. Where did your son go?

Answer. He went to that gentleman's house; he used to wait on him. He went there and knocked at the door, and they took him into the house. I thought they had killed him; I ran over there, and expected to find him dead; only one shot struck him in the ear; the other shot went into the garden post, in a place the size of my hand, and right by his head.

Question. Did you go into your neighbor's house?

Answer. No, sir; I went under the house. It is a very large brick house, with arches about as big as a man could get through; I staid under the house.

Question. How many men came to your house that night?

Answer. I could not say positively, but I think my wife said about four men came there; two stood at the rear of the house and two in the front.

Question. Were they disguised?

Answer. I could not say, I am sure; I only got a glimpse of the men.

Question. Did any of your family see them, so as to know whether they were disguised or not?

Answer. No one saw them but me and my wife; my son did not see them; he was running for life.

Question. You say that one of them went off for some more?

Answer. Yes, sir; he told me that if I did not open the door, he would get on his horse and go back for the balance of his company.

Question. Did they come back?

Answer. I do not know; when he left I left. My wife looked around and saw that he was gone, and I then made my escape.

Question. Where did your wife stay?

Answer. She walked about the house moaning for her son that she thought they had killed.

Question. Did she tell you whether they came back any more?

Answer. I think she said they did come back after awhile, and it appears from the tracks about my neighbor's house that they mistrusted that I was there, and went over; there were heavy tracks all around the house the next morning.

Question. Did you know any of them?

Answer. I could not say positively; I might have an idea, but that would not do. They had been seen frequently around there at night. When we came to church, there were men there with old black gowns on, and with old sunbonnets like women.

Question. How many did you see in that disguise?

Answer. Only one myself. One came into church and took a seat in the back part of the church; he looked like a woman, and when one of us went close up to see who he was, he got up and went out.

Question. That was about two years ago that you left there?

Answer. Yes, sir; last month.

Question. Had there been any persons molested or interfered with in the county before that time?

Answer. Yes, sir; numbers of them. Just about that time you could go into the woods and find two or three there. I knew a family who used to stay at the same hotel I stopped at. They went there and called him out of the house, and carried the man off; they carried the son and father first, and then the wife went after them, and they killed them all.

Question. What were their names?

Answer. Matt Nichols, Maria Nichols, and young Matt Nichols.

Question. How long was that before you left?

Answer. About three weeks.

Question. In what part of the country was that?

Answer. It was in Marianna, Jackson County, about seventy-five miles from Tallahassee. It was about a mile in the woods where they killed those folks. They seemed to get on the track of those who did that, but they left and went away. I have seen a crowd go out with a colored man pretending to look for some one, and they came back with the man's brains on their arms.

Question. Who was that man?

Answer. Billy Coker; but he skedaddled, and left those parts before I did.

Question. How many do you suppose were mistreated in the county before you left?

Answer. I do not know; there were a great many of them. I suppose if I were to say fifty or a hundred were mistreated right at that time, I do not think I would say any too many at all.

Question. In what way mistreated?

Answer. By shooting at them and trying to cut their throats. In going to church at night they would stand behind a tree and shoot your brains out. They would take property; and go to a minister's house and make him come out and preach.

Question. What minister?

Answer. Caesar Ely was one; then another man named Reuben Wiggins. His family were badly mistreated. They went there, took all of them out, and ate and threw everything away. They took him and led him about all night, and disturbed his family a great deal.

Question. Were there any persons whipped?

Answer. I never heard of any being whipped. Ah, gentlemen, it was as terrible a place at that time as ever there was in the world.

Question. So far as you know, has anybody been punished for this conduct?

Answer. I could not say any more than that they said this: Some of the head-leading men of the opposite party said that all true republicans should not stay there; that if they did not go on their side, they should not live there in peace; that they intended to kill them or make them leave there, or punish them in some way or other.

Question. Has anybody been arrested and tried by the law for doing these acts of cruelty and violence?

Answer. O, no, sir, we never could get at them to do that in the world. They pre-

tend that they never could find out anything about it; they appeared to be anxious to know, but it appeared to me that if they were very anxious the head men about that place could find out.

Question. What had they against you?

Answer. Nothing in the world, but they knew I was a true republican, a leading man, and tried to influence men to the best of my ability. I was never any speaker, but they knew my principles, my character, and behavior. I stand as square there as any man in the place. I have had gentlemen tell me that they did not know what they bothered me for; that I was a good citizen, and always ready to do anything in the world that anybody asked me. Thomas H. White and Judge Bush, as big men as any in the place, told me so.

Question. Were these other people who were injured also republicans?

Answer. O, yes, sir; they never bothered any other kind. Any one on their side could stay there and do well. They said we should not stay there; that they intended to carry the election, and if anybody kept them from doing it, they would have to leave there. I suppose a great many they bribed. I heard that at the last election a great many true republicans were changed by such acts as those.

Question. Were there white republicans as well as colored in the county?

Answer. Very few; and those who were there were almost afraid to own it, for fear they could not stay there. They killed Captain Dickinson and Doctor Finlayson. When I left there the truth was, that a true republican could not go there and stay in peace four and twenty hours; he could not do it, for I lived there and know. I do not know what it is now, for I have not been there since.

By Mr. BAYARD:

Question. All these matters you have spoken of, all these acts of violence, occurred prior to your leaving the county?

Answer. Yes, sir.

Question. What month did you leave there?

Answer. It was last month two years ago.

Question. In October, 1869?

Answer. Yes, sir.

Question. You have not been there since?

Answer. No, sir.

Question. All these matters you speak of occurred prior to that time?

Answer. Yes, sir. I have not been there since, but I have heard of some being killed since.

Question. What is the population of Jackson County?

Answer. It is very large; I could not rightly describe it; I suppose from eight to nine thousand; more than that, maybe.

Question. What proportion are colored and what white?

Answer. There are more colored than there are white.

Question. How many more?

Answer. A good many more.

Question. How many votes in the county?

Answer. Colored votes?

Question. I mean all combined.

Answer. I do not know rightly. I staid at the box one election myself, but my mind has been tore up and bothered so bad I could not tell now.

Question. What is the colored majority in that county?

Answer. As well as I can get at it I should suppose it was about three thousand; it is very large indeed—maybe upward of three thousand.

Question. Are there more than two blacks to one white?

Answer. I think about two to one.

Question. Two colored to one white?

Answer. Yes, sir.

Question. Then, at elections you have everything your own way in regard to your candidates; you elect whom you please?

Answer. Yes, sir.

Question. Do you generally elect colored men to the legislature in those places?

Answer. We generally elect one colored and one white.

Question. Who were your senators?

Answer. The last time I was there they were C. M. Hamilton, Major Purman, Mr Fortune, and Mr. Bryant.

Question. Who were the white men?

Answer. Hamilton and Purman.

Question. Did you ever hold an office?

Answer. No, sir.

Question. You were not in the convention that framed the constitution?

Answer. No, sir.

Question. Nor in the legislature ?

Answer. No, sir.

Question. You never held any office of any kind ?

Answer. No, sir.

Question. What was your occupation ?

Answer. Carpentering and attending to my little farm at home.

Question. Were you a slave before the war ?

Answer. No, sir.

Question. You were born free ?

Answer. Yes, sir.

Question. How long ago was it that the people you have named were killed ?

Answer. That was about three weeks before I left there.

Question. You knew them ?

Answer. Yes, sir.

Question. How far from you were they killed ?

Answer. About one mile.

Question. Was it ever ascertained by whom they were killed ?

Answer. Yes, sir.

Question. Who was it ?

Answer. Their names were young Billy Coker and Peter Altman ; they were accused of it, and an attempt was made to arrest them ; but before they could get hold of them they got away, and the last I heard of them they were in Europe, or somewhere or other.

Question. Had they gone out of the United States ?

Answer. They had gone somewhere.

Question. How did they kill those people ?

Answer. The gentleman who used to own them said that the woman's throat was cut from ear to ear, and her hair all torn up by the roots ; that the rest had their throats cut too ; they used to belong to him.

Question. Who was he ?

Answer. William Nichols ; he used to own them.

Question. Did he undertake to prosecute those men ?

Answer. I do not know ; I was very badly disturbed myself, and was for getting away, and did not know what was done.

Question. You did not see those parties after they were dead ?

Answer. No, sir.

Question. How did you know they were dead ?

Answer. I saw people who went and took the corpses and buried them.

Question. Those two young men who killed them made their escape to Europe ?

Answer. They have escaped, so I have heard.

Question. You have spoken of other persons ?

Answer. Another brother to that one, Oscar Nichols ; a brother to that same man was killed.

Question. Who killed him ?

Answer. That same Peter Altman ; I saw that with my own two eyes. He went out with this fellow and appeared to be hunting, I do not know what for ; and when he came back his coat was spattered all over with brains, and I heard him say, " Somebody has killed Oscar." They said to him, " What did they kill him for ? " He said, " I don't know." I saw the brains all on his coat with my own two eyes. They asked who shot him, and they could not tell anything about it.

Question. He is one of the men has gone to Europe and got out of the way ?

Answer. Yes, sir ; he is one who went. Then a colored sheriff that we had there, named Calvin Rogers, a good man and as true a man as ever there was in the world, and one who attended to his own business ; they did not like him because he held office. They had him under bond, and did everything they could ; I know some of the very men who went on his bond.

Question. They made him give bond ?

Answer. Yes, sir ; for \$1,500, I believe.

Question. For the performance of his duties ?

Answer. I think it was.

Question. Was that required by law ?

Answer. I do not know ; they had just as much law as they pleased.

Question. Was it an act of oppression compelling him to give bonds ?

Answer. I suppose it was ; I do not know rightly what it was they had against him, but they always tried to pick some flaw with him. They took him and said they were going to put him in jail if he could not give bond for such an amount ; I think the bond was \$1,500, and I and some more men stood it. After a time they got after him to kill him, and he ran off ; this same young Coker and his father got after him to kill him, and he ran off. Since I left there I heard that they came up on him somewhere and killed him ; I do not know myself how it is.

By the CHAIRMAN :

Question. Killed Rogers ?

Answer. Yes, sir.

By Mr. BAYARD :

Question. How long after you left was Rogers killed ?

Answer. When I came away they could not find him. He was a thoroughgoing man ; he was a stump-speaker, and tried to excite the colored people to the right thing so far as he could.

Question. Did he make public speeches ?

Answer. Yes, sir. He would work for a man and make him pay him. He appeared to be leading the other men who were ignorant and had not so much sense as he had, and they wanted to get him out of the way ; they said they intended to do that and to get the very last one out of the way.

Question. Of whom are you speaking when you say " they ?"

Answer. The opposite party ; I do not know that I could call all the names. This Coker was one of the leading ones, and Mr. Barnes and several other leading citizens there.

Question. You spoke of their determination to do so and so ; whom did you ever hear say that the leading republicans should leave the county ?

Answer. Coker for one.

Question. Who was he ?

Answer. Jimmy Coker, Billy's father.

Question. Did he live there ?

Answer. Yes, sir ; he kept store in Marianna.

Question. What did he say ?

Answer. He said that all the leading republicans should not stay there ; that they would carry the next election or kill the very last damned republican in the place.

Question. Who else said so ?

Answer. A great many agreed with him ; I cannot tell all the names ; Joe Barnes was one.

Question. Did you hear him say so ?

Answer. Yes, sir.

Question. Before you left ?

Answer. Yes, sir. Whatever one leading man said numbers of them would hang right to him ; Barnes was one of the head leading men.

Question. Do you know any white republicans in that county except those who held office ?

Answer. Very few.

Question. How many ?

Answer. I suppose there were about twenty or thirty scattered about, and at times they were almost afraid to own what they were ; they were just merely on the balance ; they knew that just as certain as they said what they were they could not stay there ; they could not come right square out and say what they were.

Question. Who was judge of your county ?

Answer. I believe Judge Bush was the judge at that time.

Question. He held court there ?

Answer. Yes, sir.

Question. Who was the clerk ?

Answer. This Dickinson that they killed.

Question. He had been an agent of the Freedmen's Bureau ?

Answer. Yes, sir ; he was the agent at the time they tried to get me out that night.

Question. Who was the State's attorney ?

Answer. A Mr. Milton, William Milton, Governor Milton's son ; he was apparently a very nice man.

Question. Who was the sheriff ?

Answer. One sheriff was named Henry King, from Maine.

Question. Where was Dickinson from ?

Answer. From Pennsylvania.

Question. Where was Bush from ?

Answer. He is a native of Florida.

Question. Who were your justices of the peace ?

Answer. It is right at my tongue's end, but I cannot get my head together rightly to save my life.

Question. How many justices of the peace had you there ?

Answer. I think Mr. Hamilton was one, and that Mr. Dickinson dealt in that way. I know that little things occurring on back farms about contracts would go to those men.

Question. They had charge of suits brought by laboring men against those who employed them ?

Answer. Yes, sir.

Question. You elected your own constable there?

Answer. Yes, sir.

Question. Who was he?

Answer. Calvin Rogers, and Mr. King, from the State of Maine.

Question. Was Calvin Rogers a colored man?

Answer. Yes, sir.

Question. And Mr. King was from the State of Maine?

Answer. Yes, sir; he left there, and they had another man there by the name of West; he was sent there a few days before I left.

By the CHAIRMAN:

Question. Who was the high sheriff of that county?

Answer. Henry King, from the State of Maine.

Question. Was Rogers a sheriff or a deputy sheriff?

Answer. A deputy under him.

Question. Did you have constables besides?

Answer. No others besides that I recollect of at this time.

Question. You do not recollect whether they had any constables or not besides the sheriff and his deputy?

Answer. I do not recollect any in that place.

Question. To what party did those leading men, Coker and Barnes, belong?

Answer. To what they called the conservative party at that time.

Question. They were opposed to the republican party?

Answer. O, yes, sir, bitterly; they hated them. They got so there at one time that they would not give a republican any work, and if they went to sell a republican anything they would charge him double price; they had a terrible time there at that time.

JACKSONVILLE, FLORIDA, November 11, 1871.

B. F. TIDWELL sworn and examined.

By the CHAIRMAN:

Question. What is your age; where were you born; where do you now reside; and what is your official position at the present time?

Answer. I am forty years of age. I was born in the State of Georgia; and I now reside in Madison County, Florida. I am county judge of Madison County at this time.

Question. Our object is to ascertain to what extent the laws are executed, and protection is extended to life and property in this State. Please give us any information you may have that bears upon that subject; in the first instance, as far as relates to your county especially, and then, if you have information, in regard to other parts of the State.

Answer. Well, we make an effort there to execute the laws, but it is rather loose. I believe the county officers do their duty as near as they possibly can.

Question. Have you in your county any organization that is commonly spoken of as Ku-Klux?

Answer. I believe there are some there.

Question. What induces you so to believe?

Answer. From the sworn testimony of persons who I believe to be true in their statements.

Question. Under what circumstances was that testimony given?

Answer. Generally in holding inquisitions. I have acted as justice of the peace of that county, and have taken down the evidence when holding inquisitions over the dead bodies of persons who had been murdered.

Question. How many inquests do you suppose you have known to be holden in that county within the last two or three years?

Answer. I think some twenty or twenty-five that I know of my own knowledge, possibly more. I am satisfied that there have been over twenty.

Question. That number of homicides?

Answer. We call them murders.

Question. In the county of Madison?

Answer. Yes, sir.

Question. Within how many years?

Answer. Within the past three years.

Question. Have these murders been of white or colored persons?

Answer. There have been a few whites, but they are generally colored.

Question. What did the inquests generally disclose as to the character of the homicides—how they were perpetrated?

Answer. By a party of men not known, armed with guns and pistols, who would go in upon a man in his house where he was asleep.

Question. In the night?

Answer. Yes, sir.

Question. Would they be in disguise?

Answer. Yes, sir.

Question. Were these acts confined to any one part of the county?

Answer. No, sir.

Question. Has any one been punished by the law for any of these numerous murders?

Answer. There has been only one man that I know of punished, probably another, who was said to be accessory, for any crime of that character, that I know of. There was a colored man executed there for killing another, but that was an open fight that occurred among themselves.

Question. In an open fight one colored man killed another?

Answer. Yes, sir.

Question. He was arrested, tried, condemned, and hanged?

Answer. Yes, sir.

Question. Have you known any white man in your county to be punished for any criminal act upon a colored man?

Answer. I have not, that I am cognizant of.

Question. What is the difficulty in the way of ferreting out and bringing to punishment those who commit acts of crime?

Answer. The trouble is in not being able to identify them; and when we have sufficient ground to issue a warrant for their arrest they get out of the way, loiter around a while, keep out of the way of the officers for a while, and then leave the county; some of them do; others I think are there yet.

Question. Is there any indisposition on the part of the people to prosecute, or on the part of the officers to do their duty?

Answer. I believe the officers are disposed to do their duty, but I do not believe that every one there, as a general thing, would give the officers the assistance necessary.

Question. Suppose an officer was to summon a posse to pursue and arrest these offenders—a posse of armed white men—do you think he would have any difficulty in bringing them to his aid?

Answer. I think so; but I could not state, of my own knowledge, anything in reference to that.

Question. What has been the effect of these acts of violence upon the colored people?

Answer. I think it has kept them from taking homes of their own, and settling down upon their own farms; they think they will be interfered with and troubled.

Question. How has it affected the labor of the country?

Answer. I can only state what I think; I think it has been a great injury to it.

Question. What is the reason or excuse assigned for this violence?

Answer. I have only heard one side of the question; the colored men say it is for the purpose of preventing them from farming for themselves; they are not allowed by this class to do so; they are told to go to some white person and hire out with him on his plantation; that is their statement.

Question. Do you know what reason these people themselves give for these acts of violence, they or their friends, for I suppose they have friends?

Answer. I could not answer that, because I have not heard.

Question. Are there any persons in your community that excuse this conduct, or attempt to palliate it in any way?

Answer. In making inquiries about these matters, I have generally found that they said the parties were accused of some crime—stealing, or something of that sort—therefore they are disposed to get shut of them.

Question. That is, the parties who were killed?

Answer. Yes, sir; I have heard it said by persons that those were the reasons why they had been treated in that manner.

Question. Did they give any reason why they did not go to the law to obtain redress?

Answer. Yes, sir; I have heard a great many say they had no law; that there was no protection to their property; at the same time, I thought they were disposed not even to use what means in that way was in their power; I do not think they were disposed to go to law.

Question. I suppose you have laws to punish men for stealing?

Answer. Yes, sir;

Question. Can those laws be executed, and are they executed with reasonable efficiency?

Answer. They would be if the citizens would give that assistance to the officers that is necessary.

Question. Where do your colored people vote at elections?

Answer. They vote at the county-seat of Madison.

Question. What is the object in having them vote at the county-seat?

Answer. I happened to be one of the county commissioners at the time, and my notion was that if they did not go there, they would be intimidated.

Question. In other words, the negroes would be better protected at the polls at the county-seat, and could vote more securely there?

Answer. Yes, sir.

Question. What, in your judgment, would be the case if they voted in the country away from town?

Answer. I believe they would not have an opportunity of voting as they pleased; that is my notion; that is what I believe.

Question. State, if you please, whether these murdered people belonged exclusively to either one political party or the other, or promiscuously to both.

Answer. I think they belonged invariably to the republican party.

Question. What has been the effect of these various murders upon the republicans of your county?

Answer. I think the effect has had a tendency to intimidate both white and colored.

Question. To give them a sense of insecurity and personal danger?

Answer. Yes, sir.

Question. What has been the character of the men who have been killed?

Answer. I have taken particular pains in trying to ascertain and find out what the character of those men were, and in every instance they have been remarkable for their honesty, intelligence, and labor; I have heard no charge whatever brought against them.

Question. Have they been men of influence among their own people?

Answer. Yes, sir; the most of them have been.

Question. What has been the character of the white men that have been killed?

Answer. I think it has not been exceeding three months ago that a white man was killed at his house at night—probably 11 or 12 o'clock; he was called out of his house and killed by a party of armed men.

Question. What was his name?

Answer. Allison.

Question. What was his first name?

Answer. I cannot recollect his given name at this time.

Question. What was his character?

Answer. I did hear from men who were there that he was disposed to take things that did not belong to him; he had never been arrested that I know of, and no charges were made against him in court.

Question. When did you hear this allegation of stealing, before he was killed or afterward?

Answer. I heard it before he was killed.

Question. From what quarters did it come?

Answer. It came from a man that I regarded as a very good citizen; a man who stands very fair.

Question. You say there never had been any prosecution against him?

Answer. Not that I know of.

Question. Was he a new-comer there, or had he been living there all the while?

Answer. I think his father lived in that county; I think he was raised in Madison and Lafayette Counties.

Question. Do you know whether it was generally the case when they killed a man that they afterward accused him of having committed some offense or other?

Answer. I cannot say it was generally the case.

Question. How have the negroes behaved themselves in your country?

Answer. I think remarkably well.

Question. How have they been in the matter of labor, industry, &c.?

Answer. I think they do as well as they generally do in the different counties in the State; I think they generally show a disposition to labor.

Question. Wherever they have been dealt with justly, and have had fair treatment, have you heard any complaint between them and their employers?

Answer. None at all.

By Mr. BAYARD:

Question. When did you come to Florida?

Answer. I came to Florida in the latter part of 1860.

Question. Where were you during the war?

Answer. I was in General Lee's army.

Question. Did you settle here in 1860?

Answer. No, sir; I came down here during the war; I was in bad health.

Question. When did you make your residence in Florida?

Answer. I have regarded my residence as here since the war; but I enlisted from here in 1861, when the war broke out.

Question. What offices have you held in Florida since you came here?

Answer. Only those of justice of the peace and county judge.

Question. You held them for how long?

Answer. For the past three years and over; I have been acting as county judge in Madison County since February last.

Question. Has Madison County been your residence since you were in Florida?

Answer. I stopped in Leon County a portion of the time.

Question. And in Madison County for the past three years?

Answer. Yes, sir.

Question. During which time you have been justice of the peace and county judge?

Answer. Yes, sir.

Question. Madison County is on the line of the railroad through the State?

Answer. Yes, sir.

Question. Does the railroad pass through your town?

Answer. It passes near it; I do not believe it strikes what we call the corporation.

Question. You say you believe there have been at least twenty cases of homicide in your county within the last three years?

Answer. Yes, sir.

Question. During your term of office there?

Answer. Yes, sir.

Question. During which portion of that time have the most of these cases occurred?

Answer. Up to within the last year.

Question. Have you had any cases within the last year?

Answer. Yes, sir.

Question. What cases?

Answer. There have been two cases; one of this man Allison, and one of a colored man; I did not hold the inquisition upon either of them.

Question. Within the last year you have had two cases?

Answer. There have been two murders; I did not hold the inquisitions upon them.

Question. Did you hold inquests upon all the others?

Answer. Upon nearly every one; or rather I have held inquisitions on ten or twelve since I have been there.

Question. Ten or twelve of the twenty are all you have personal knowledge of?

Answer. Yes, sir.

Question. And none of those occurred within the last year?

Answer. No, sir.

Question. They were all prior to that time?

Answer. Well, I think that, in November a year ago, a man was shot; I presume within not more than a mile of the court-house; it was in hearing of the court-house.

Question. Who shot him?

Answer. We have not been able to ascertain who it was; I held the inquisition upon him; he was shot, and died within some forty-eight hours after he was shot. He had been in town hauling a load of wood.

Question. Was he a white man?

Answer. Yes, sir; he was a citizen living near town.

Question. Did you get any clew to his murderers?

Answer. A suspicion, nothing more; the suspicion fell against another white man, who has since died.

Question. Was there bad blood between the two?

Answer. That was the impression.

Question. They supposed this young man had killed him?

Answer. Yes, sir; he has since died.

Question. Allison was a white man, who was charged with being dishonest?

Answer. Yes, sir.

Question. Was that his general repute?

Answer. I cannot say that it was; I was not personally acquainted with him.

Question. Who was supposed to have killed him?

Answer. I made some inquiry in reference to it; the parties who it was supposed did the deed went on horseback where he was living, killed him, and galloped off. A colored man living about a mile and a half probably from where he was, was near the road, and saw three or four men coming in a pretty rapid lope.

Question. Coming from that direction?

Answer. Yes, sir.

Question. Were they dressed in any particular manner?

Answer. He was behind a fence, and could not tell who they were; he thought if it had been light enough he could have told; they passed very quickly. I asked him if he recognized any of the horses, and he said he did not.

Question. Were the men disguised at all?

Answer. He was not able to tell.

Question. Was it a dark night?

Answer. Not very dark, but it would have been a hard matter to have got it out of him, even if he did know.

Question. Was there any other fact than that those men came from the direction in which this assassination had been committed that led to a suspicion that they were the men?

Answer. There were other parties living on the road who heard them gallop down from the house where this man was killed, and go on in that direction, but they stated they did not know who they were.

Question. The facts were, that the man was shot, and three or four men on horseback came from the direction of his dwelling?

Answer. Yes, sir.

Question. That was all that was known?

Answer. Yes, sir.

Question. Who the men were you do not know?

Answer. No, sir.

Question. That was how long back?

Answer. Within three months.

Question. And there was another case about a year ago?

Answer. Yes, sir; near the court-house.

Question. And the ten or twelve cases of which you have personal knowledge occurred when?

Answer. This case of Allison is not included among those ten or twelve cases that I know of; they are only those I have held inquisitions on.

Question. What was the character of the information you had in regard to those other murders?

Answer. Just as I have told you; there were two of them, I think, that I was able to tell who committed the murders.

Question. How long have you had possession of that information?

Answer. Probably a couple of days after it was done.

Question. Why have you not taken process against them?

Answer. We have.

Question. Have they been indicted?

Answer. They left and got out of the way.

Question. Have they been indicted?

Answer. I think there were true bills against them.

Question. You have grand juries?

Answer. Yes, sir.

Question. Who was your prosecuting attorney?

Answer. We have had as many as three prosecuting attorneys since I have been there.

Question. All of them appointed by Governor Reed?

Answer. Yes, sir.

Question. He appointed you to office?

Answer. Yes, sir.

Question. And the county clerk?

Answer. Yes, sir.

Question. Does he appoint the county commissioners?

Answer. He does.

Question. Does he have the power to remove the county commissioners at his pleasure?

Answer. I presume so.

Question. They summon the grand juries?

Answer. No, sir; I think the grand juries are drawn by the justice of the peace, clerk, and sheriff.

Question. All three of those officers are appointed by the governor?

Answer. Yes, sir.

Question. The sheriff is appointed by him?

Answer. Yes, sir.

Question. The clerk is appointed by him?

Answer. Yes, sir.

Question. And the justice of the peace is appointed by him?

Answer. Yes, sir.

Question. The grand juries are in session how often?

Answer. Twice a year, unless we have a called session.

Question. Do they take cognizance of all these cases?

Answer. I believe they have all been referred to them, so far as we have information.

Question. Has the prosecuting officer sent in indictments?

Answer. He has in some cases; as to all I cannot say.

Question. In what cases in which indictments have been found did you have the names of the supposed murderers?

Answer. I have not seen the indictments; but I was informed that it was so in the instance where the man was shot near the court-house.

Question. The young man who subsequently died?

Answer. Yes, sir.

Question. Was a true bill found against him?

Answer. I think so.

Question. And his death has put an end to that prosecution?

Answer. I think a bill was found at the last court.

Question. And he has died since?

Answer. Yes, sir.

Question. He is beyond the reach of the law?

Answer. Yes, sir.

Question. What other man has been indicted?

Answer. A man by the name of Barfield, for killing a young boy.

Question. When?

Answer. The indictment was found shortly after the occurrence, which I think happened in 1868 or 1869.

Question. Was he ever tried?

Answer. No, sir; he has never been got hold of.

Question. Where is he?

Answer. He left immediately, and went off to Georgia.

Question. He went out of the State?

Answer. Yes, sir; there was some effort made to catch him there, but he made another move, and I have not kept up with it since.

Question. Do you know whether your governor has obtained requisitions for criminals who have escaped from your State?

Answer. Yes, sir; I have seen large rewards offered in different cases, in fact, in most of them.

Question. For persons who have fled the State?

Answer. Or for arresting them and convicting them.

Question. Suppose those men had remained in the State, those whose names you know, or who were indicted, could you arrest them?

Answer. I think they would have made an effort to have done it, and I think they would have been arrested.

Question. When you bring them before your courts and juries, can you convict them?

Answer. I can only state as to one instance of the kind. There was a man who killed a party.

Question. Give the dates.

Answer. I cannot; I am a poor hand at dates.

Question. Give the year, can you?

Answer. I will say it was during the year 1869, I think; I will not say positively. A white man killed a negro man there in the streets of Madison.

Question. In the day-time?

Answer. Yes, sir. There was a true bill found against him, and he was tried by a jury and acquitted.

Question. Did you hear that trial?

Answer. A portion of it.

Question. Was it a *mêlée* between the two?

Answer. I thought there was pretty strong evidence to convict the man.

Question. How was the jury who tried him composed?

Answer. It was composed of the citizens there.

Question. Were they colored?

Answer. They were white, I think.

Question. Entirely so?

Answer. I think they were.

Question. Were you present in court?

Answer. Yes, sir.

Question. Did you see the jury?

Answer. Yes, sir.

Question. Were there any negroes on it?

Answer. I do not think there were; there might have been one or two, but I do not think there was any colored man on that jury.

Question. He was tried and acquitted?

Answer. Yes, sir.

Question. Was it alleged that he did it in self-defense?

Answer. Yes, sir.

Question. That was the character of his defense?

Answer. Yes, sir; that is my impression.

Question. That he committed the act in self-defense?

Answer. Yes, sir.

Question. What cases have you knowledge of, among those ten or twelve which you have mentioned, where a man was murdered by a band of disguised men at night?

Answer. From the sworn testimony of eye-witnesses.

Question. State the cases in which that occurred—how many of those cases were of that kind.

Answer. There was one case of a man by the name of Richard Smith, a mulatto.

Question. When was that, in what year?

Answer. I think that was in 1869; I cannot give dates closely. I have had a great deal of business in that time; I have the record at home, and I think it was in the year 1869. He was a laborer, and had some other laborers employed picking cotton. I suppose it was nearly thirty miles from the court-house. They had retired to sleep; they had permission from the owner of the house that he worked for to sleep in the cotton-house. I think there were seven or eight women, children, and men in the house. Late that night, they thought about 12 or 1 o'clock, a party of men went into the house, and struck a match, so that the others all could see them. They saw that they had on masks; they described their arms, which corresponded with some arms that had been taken from a train on the railroad—arms belonging to the State; they described them so that no one could have had any doubt as to the arms, but from the masks they were unable to tell who they were. They shot the man, and left his body in an awful condition; they dragged him out of the house, and left him lying near the door.

Question. His name was Smith?

Answer. Richard Smith.

Question. A mulatto man?

Answer. Yes, sir.

Question. Did they do any other damage than that?

Answer. He was the only one interfered with.

Question. Was any one arrested for that?

Answer. Never to my knowledge.

Question. Were those people able to identify any of the parties?

Answer. They were not.

Question. How many men were engaged in that?

Answer. I think they said there were from four to six.

Question. Did you ever know of any reason suggested for this feeling against Smith?

Answer. None; only from what the other colored persons said, that he was a republican.

Question. That they know?

Answer. That was the only reason they were able to give; they knew of no other. I inquired pretty closely about the man, and found he was an industrious laborer.

Question. That was the only reason they could give?

Answer. Yes, sir; he had committed no other offense, and they did not know of any other.

Question. That is one case; what other case of these ten or twelve was committed under similar circumstances?

Answer. There was another case near Madison, some three and a half or four miles from Madison. A party had been out on some business in the neighborhood; probably had a yoke of oxen along with him. He was overtaken about dark, as he was going home, a short distance from the house. According to his statement the next morning, as I afterward heard, they passed him in the lane; he did not know who they were. He went on home and told some others, who were living with him, that there was some mischief up, he thought.

Question. He was a colored man?

Answer. Yes, sir. And that they had better look out. The fact, as near as I can get at it, was that they had some guns. Some time during the night, late in the night, they heard a party coming, and prepared themselves for them; some of them got out of the house, and some of them remained in it. The party rushed up to the door, and shot this man down dead; he did not speak but once or twice.

Question. Did the others return the fire?

Answer. There was one colored man who returned the fire, and it was believed he wounded one of them.

Question. Did that disperse them?

Answer. Yes, sir.

Question. They then rode away?

Answer. They were not on horseback; they hitched their horses some one hundred and fifty yards away from the house; I went there myself, and saw where they were hitched.

Question. They were repulsed by that discharge?

Answer. I presume so.

Question. Before that they had killed one of the number?

Answer. Yes, sir; they rushed right up to the door and killed one of the number. I

think this man who fired at them had been whipped and run off from his house; he lived near the Georgia line, he and another family, and he went down there rather for protection. It was the next day that I held the inquisition upon the body, and obtained this information from the parties.

Question. Did he see the men who approached?

Answer. Yes, sir.

Question. Did he recognize them at all?

Answer. It was in the night; they had a light burning in the shanty, but they were unable to state that they saw any person they knew.

Question. Did he say the parties who came there were in disguise?

Answer. No, sir, he did not say they were disguised.

Question. What other case do you remember?

Answer. I remember a case that happened on Suwanee River, near Ellisville; I am under the impression that was during the year 1870. There were two white men who murdered a colored man who had walked out from the mill, Mr. Drew's mill. They met him in the road and just shot him down, and dragged him off a piece, and threw him into a lime-sink.

Question. Was it known who they were?

Answer. Yes, sir; one of the men who was present I had before me.

Question. You had him arrested?

Answer. Yes, sir.

Question. Did you indict him?

Answer. I put him under arrest, committed him, and he was taken out of jail, I think, by the county judge at that time, and discharged, he and another party; I committed two of them. The party who he said committed the act lay around for a day or two, a day probably, and then skulked off; we could not find where he went to. We heard that he was in Live Oak, and the sheriff sent a warrant down there, but he was not found.

Question. Was he ever indicted?

Answer. I think there was a true bill found against him.

Question. Has he ever been apprehended?

Answer. No, sir.

Question. In what part of the country is he now?

Answer. I am unable to tell you.

Question. Do you know whether he is in the State or not?

Answer. I do not.

Question. Has there been a reward offered for his apprehension?

Answer. I think so.

Question. He has not been found?

Answer. No, sir.

Question. He has got out of the way?

Answer. Yes, sir.

Question. Do you believe him to be in your county?

Answer. I do not.

Question. Was this in the open day or at night?

Answer. It was in the evening; I think it was late in the afternoon.

Question. The men were not disguised?

Answer. No, sir.

Question. They just shot him down openly in that way?

Answer. Yes, sir.

Question. You had them before you?

Answer. I had a party who claimed to be present in company with the men who did it. He said there was no resistance made; that he met him in the road, and just pulled his gun down on him, and shot him.

Question. A case of willful murder?

Answer. Yes, sir.

Question. He was discharged by the county judge?

Answer. Yes, sir.

Question. Who is he?

Answer. Judge Vann.

Question. Is he county judge now?

Answer. No, sir.

Question. You have taken his place now?

Answer. Yes, sir; since February.

Question. He was an appointee of Governor Reed?

Answer. Yes, sir.

Question. Are there any other of those ten or twelve cases than the one you have mentioned of the colored man, where the men were in disguise, in which the murder was committed by a band of disguised men?

Answer. I am unable to tell you; I held an inquisition upon one body; the evidence

showed that a party of men had murdered him, and there was a hat found near where his body was found, thrown off into a little pond.

Question. What did that hat prove?

Answer. It did not prove anything; we could not prove whose hat it was.

Question. How did that affect the evidence in the case; why did you mention that; as a proof that the men were disguised?

Answer. I said I could not tell whether they were disguised or not.

Question. Does it come to this, that out of those cases there was only one case of a party in a band and disguised?

Answer. That is the only one.

Question. Have you any knowledge at all whether the other cases were more than usual cases of homicide, proceeding from revenge or ill-feeling of some kind?

Answer. Well, sir, in this instance that I speak of, where the man was taken off and thrown into a pond, there was no evidence that he had any enemies.

Question. He was shot by a single man?

Answer. The circumstances went to show that there were more than one engaged in the murder.

Question. You have no knowledge beyond that fact, and that is taken from the number of foot-prints, or something of that kind?

Answer. Yes, sir.

Question. Do you think from those facts that it was anything more than an ordinary case of homicide?

Answer. In this instance I speak of it was a quarter of a mile or more from where the man was shot, and I believe killed, because there was blood there and one of his shoes was found; I have no doubt he was taken a quarter of a mile and thrown into the pond; he was a stout man, and he could not have been taken there by one man.

Question. You spoke of State arms; did the State make any purchases of arms?

Answer. I think that Governor Reed contracted for some arms that were on the way to Tallahassee from this place, and those arms were destroyed in our county.

Question. When did Governor Reed make that purchase?

Answer. In 1868, I think; that is my impression.

Question. Whom did he propose to arm with those arms?

Answer. I am unable to tell you; I never heard of any person that he intended to arm.

Question. Was there ever any militia organization in your State?

Answer. Yes, sir; there is a militia organization now.

Question. Composed of people of both races?

Answer. Yes, sir.

Question. Blacks and whites?

Answer. Yes, sir.

Question. Have you ever known militia organizations of negroes alone?

Answer. I have never known of one called militia; the people generally get up their own companies and have their own officers.

Question. Are they armed by the State?

Answer. There are none armed that I know of by the State; no arms have been delivered to any militia.

Question. No State arms?

Answer. None that I know of.

Question. Are the negroes through the country generally well armed?

Answer. I am unable to answer that question; a great many of them have guns.

Question. You spoke of one case where they were warned by one man who was afterwards killed, and they armed themselves and returned the fire?

Answer. Yes, sir; they had arms; nothing more than double-barreled shot-guns or single-barreled guns; some perhaps had pistols.

Question. Is it generally the fact that throughout the country they have arms of that kind?

Answer. More or less of them.

Question. You spoke of a place of voting in Madison, and that you, as one of the county commissioners, had selected it as a place of security. Did you bring the entire county into that place on election day?

Answer. On that day we did.

Question. What election was that?

Answer. That is the only place that has been kept for voting, where the polls have been opened since I have been in the county; we have never opened any other polls.

Question. Was that fixed by law or by the commissioners?

Answer. By the commissioners.

Question. Can the commissioners change the place of voting at their pleasure?

Answer. I presume so.

Question. Move it wherever they please?

Answer. Yes, sir.

Question. And have it at any point you choose to select?

Answer. Yes, sir.

Question. What is the population of Madison?

Answer. I took the census there last year, and as near as I recollect I think there is a little rising of 11,000 inhabitants.

Question. Were you assistant United States marshal?

Answer. I acted as such to take the census.

Question. What is the proportion of colored population and white population?

Answer. I think that two-thirds are colored.

Question. Two black men to one white man in that county?

Answer. Yes, sir.

Question. They outnumber them two to one?

Answer. Yes, sir.

Question. What is the poll of your county?

Answer. I think at the last election we voted some 1,800 votes.

Question. How many were colored votes?

Answer. I think there were not more than 350 or 400 white votes; there might have been as many as 500.

Question. The rest were black?

Answer. Yes, sir.

Question. You act with the republican party?

Answer. I do.

Question. You have everything your own way there in elections?

Answer. So far as —

Question. I mean by that, that you always elect your own candidates.

Answer. Yes, sir.

Question. How many white republicans are there in your county?

Answer. That is rather a hard question; I could not tell. I believe there are more there than speak out and say they are republicans.

Question. How many are there to your own knowledge?

Answer. Of my own knowledge I presume there are twenty-five or thirty.

Question. The official machinery of your county is entirely in the hands of persons of your party?

Answer. I think it is at this time.

Question. Have you ever in your life seen any men in disguise in this State?

Answer. I cannot say that I ever did.

Question. Have you yourself any knowledge of any such organization existing here?

Answer. Not of my own knowledge; I have never been present at any of their meetings; we know it from rumor only.

By the CHAIRMAN:

Question. I understood you to say that the negro who saw those persons riding away, himself standing behind a fence, would not be inclined to tell what he knew; why?

Answer. I think he believes that if it was known he would be in danger of losing his life.

Question. Does that feeling prevail very generally among the colored people?

Answer. Yes, sir; that is my belief.

Question. You have been asked your knowledge of a secret organization; I understand you to say you have no knowledge?

Answer. No personal knowledge.

Question. What is the opinion and belief in the community on that subject, and what is your opinion and belief? And state your reasons for your belief, whether there is or is not such an organization.

Answer. Well, sir, the sworn evidence that I have already referred to, that was given in my own presence, is one reason why I believe an organization of that kind exists. Then I have heard threats made, and I have heard men say that they believed that there was such an organization, men whom I thought were truthful men.

Question. Is that the opinion among the republicans of your county, colored and white, that there is such an organization?

Answer. Yes, sir; that is the opinion.

Question. Do they trace these various murders that have been committed to that organization?

Answer. I could not say that they trace them to it, though they believe that there is where they came from.

Question. That is what I meant to ask.

Answer. Yes, sir.

By Mr. SCOFIELD:

Question. You mean to say they have not been able to prove that the murders were done by that organization, but that they believed they originated there?

Answer. Yes, sir.

By the CHAIRMAN :

Question. You have spoken about the State arms; I understood you to say they were taken from the train somewhere?

Answer. That is what I heard, and that is what I believe. I have seen some of the arms which were broken, and brought into Madison, that were said to have been thrown off the train. I think there was a lieutenant sent up there to examine and look into the matter, and he said he had sufficient evidence to identify some parties who did it.

Question. From the information that you have, I understand you have no personal knowledge, but from information which you deem reliable, do you believe that the arms were thrown off by the railroad employes?

Answer. By some parties whom I do not know; no names have ever been given to me, and no parties have been described to me.

Question. At what point were the arms taken from the train?

Answer. At or near station 5, Sandy Ford.

Question. In what county is that?

Answer. Madison county.

Question. I understand you to say that you have seen parts of arms that you suppose to be of them?

Answer. Yes, sir.

Question. What was the character of the arm?

Answer. I am now under the impression that they were the common Army-rifle.

Question. In reply to a question asked as to the number of white republicans in your county, you said that there were more there than spoke out. What reason have you for saying that?

Answer. Because there was an old gentleman speaking to me this last week, and he told me that he believed that the republican party was the correct party—was the friends of the people; that their laws were good. But he said he did not attend the elections.

Question. What reason did he give?

Answer. He did not give me any reason; he left me to draw my own conclusion.

Question. He had never attended an election?

Answer. He said he did not attend elections then.

Question. What reason do you know of that would prevent men who are republicans in sentiment from speaking out and acting out their principles?

Answer. I could not say they would be in danger of their lives if they did so, but I believe they think they would, and they would not be received and treated politely and kindly. I think that is their reason.

Question. Is there anything like ostracism, social or in business, towards the republicans?

Answer. I think there is.

Question. State whether by reason of your war record, to which you have referred in reply to a question that has been asked you, you have escaped from this ostracism.

Answer. I have not. I have my share of it to stand up to.

Question. Does it extend to the families—the wives and children—of republicans?

Answer. It is true, I generally conduct myself so as to keep away from them and not associate with them, for I know I would not be treated very politely, and as a general thing I never go into their company, unless my business takes me among them.

By Mr. BAYARD :

Question. Have you personally had any injury inflicted upon you by anybody?

Answer. No, sir, I cannot say that I have.

Question. Have you had any personal insult offered to you?

Answer. I have heard conversations of parties who used language rather insulting.

Question. Not addressed to you?

Answer. No, sir, not directly.

Question. But you have overheard conversations in respect to yourself that were unpleasant to you?

Answer. Yes, sir.

Question. You have supported this State administration?

Answer. I have.

Question. And approve of its course?

Answer. So far as I was able to.

Question. Have you taken an active part in politics?

Answer. No, sir, I cannot say that I have taken a very active part.

Question. Have you been in any way a prominent man, a leader in the republican ranks in your county?

Answer. I have not.

Question. You have simply held the two offices you have mentioned?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Did you understand that those conversations you referred to were intended to be heard by you ?

Answer. Yes, sir.

Question. Men would use offensive and insulting language in your presence without turning to your face in a bold, manly manner and making known their purpose ?

Answer. No, sir.

JACKSONVILLE, FLORIDA, November 11, 1871.

DAVID MONTGOMERY sworn and examined.

By the CHAIRMAN :

Question. What is your age ; where were you born ; where do you now reside, and what official position, if any, do you now occupy ?

Answer. I am thirty-five years old ; I was born in New York, and I now reside in Madison County, Florida ; I am sheriff of the county of Madison.

Question. How long have you been sheriff ?

Answer. A little over three years.

Question. What has been the condition of affairs during that time, so far as the violation of law is concerned, and the punishment of men who violate the law ?

Answer. Well, since I have been there I have made five hundred arrests, speaking within bounds ; I think maybe they would go over that. In that time I think we have had within the neighborhood of thirty-seven murders in the county, and we have never been able to convict a man yet.

Question. Have any been prosecuted ?

Answer. Yes, sir.

Question. Why were they not convicted ?

Answer. The jury would not do it ; that is the only reason I know.

Question. Can you give any reason why they did not do it ; do they not have sufficient evidence, or is there something else ?

Answer. I take it that if a white man kills a colored man in any of the counties of this State you cannot convict him.

Question. Have you known any instances of white men being tried for killing colored men ?

Answer. Yes, sir.

Question. Mention some of them.

Answer. One man by the name of John T. Glass, for killing a colored man of the name of Oscar Tension.

Question. Where did that killing take place ?

Answer. In Madison, right opposite the court-house ; I was sitting in my office and saw him do it.

Question. What were the circumstances about the killing ?

Answer. As far as I understand, I was too far away to hear what was said, they had had some words about something. They were sitting in front of a store and had had some words there, and this colored man Tension called him a liar or something. I was busy in my office at the time and turned around for a moment, and when I looked again I saw that Tension had a chair and Glass had an ax. Glass cut him three times, once in the side and twice in the arm. He died in about fifteen minutes afterward.

Question. Who began the fight, as you understood ?

Answer. Well, I do not remember now.

Question. Do you know whether the negro commenced the fight on the white man or the white man on the negro ?

Answer. I think the colored man asked him to come out ; I think there was a little feeling between them, but I do not know that to be a fact.

Question. Have you known any other cases to be tried in that county, excepting that case, of a white man killing a negro ?

Answer. That was the only one ; we could never get the grand jury to find a bill against any one after that, hardly.

Question. Of these thirty-seven murders, which you say have occurred in your county, how many were of white men and how many of colored men ?

Answer. I think there were only about three white men killed. A man by the name of Smith was killed ; a man by the name of Quiet was shot in the evening. As far as we could learn he had a difficulty with some of his neighbors ; and a man was shot about six weeks ago by the name of Allison.

Question. How was the first white man killed, Smith ?

Answer. A colored man by the name of Turner Woods killed him ; he came in town

drunk and had some difficulty with this colored man, fired a pistol at him and shot him through the rim of his hat. This colored man went into a store and got a musket and came out and met him on the street and shot him.

Question. How was Allison killed?

Answer. He lives about eighteen miles from the town; he was killed about half past 12 o'clock at night. Three men went to his house and called him out, and fired at him, and killed him.

Question. Were his family there?

Answer. No, sir; his family reside there, but his wife was not there at the time; she was in Taylor County. He was running a plantation there for a lady whose name I forget.

Question. How was it known that three men came there and called him out?

Answer. His little boy was there.

Question. That was the information the boy gave?

Answer. Yes, sir; and some colored people who were coming from church at the time saw those three men ride away after the shots were heard.

Question. Have there been any persons whipped in your county?

Answer. Yes, sir.

Question. How many, and in what parts of the county?

Answer. In the upper portion of the county, on the Georgia line; I have heard of some four or five.

Question. How recently?

Answer. The last I heard of was about six weeks ago.

Question. By whom were they whipped?

Answer. By some white people there, so they tell me.

Question. Was it in the day-time, or in the night?

Answer. In the night-time.

Question. Do you know whether they were disguised?

Answer. I do not know whether they were or not, but it strikes me that they were; at least that is what the party said, I think.

Question. You spoke of having made five hundred arrests in your county?

Answer. I should judge there were about that many.

Question. Were they arrests of white men, or of colored men?

Answer. Of all kinds, white and colored.

Question. What were the offenses for which they were arrested?

Answer. Assault and battery, whipping, larceny, and everything of that sort.

Question. How many persons have been arrested for these thirty-seven murders?

Answer. Well, I do not know exactly how many.

Question. How many have been arrested for these whippings you have spoken of?

Answer. I do not think there has been any.

Question. Has anybody been punished by the law for these whippings?

Answer. No, sir.

Question. Any for the murders?

Answer. They convicted this colored man for killing the white man. He was granted a new trial, and there being no jail in our county I took him to Hamilton County, and he escaped from there. A whole lot got out there one night—some seven or eight of them.

Question. He was convicted and a new trial granted, and he then escaped from prison?

Answer. Yes, sir.

Question. Is there in your county, to your knowledge, or upon reliable information, an organized band of people who generally go by the name of Ku-Klux?

Answer. I think there is.

Question. Give your reasons for thinking so.

Answer. My reasons are these: I have had a gentleman tell me that he was solicited to join an organization of that kind, and he told them he would not do it.

Question. What was his name?

Answer. R. H. Willard.

Question. Did he tell you who solicited him?

Answer. He did not; he said he had been solicited.

Question. How long ago did he tell you this?

Answer. Maybe six weeks or two months.

Question. Have you any other reason for thinking there is such an organization in your county?

Answer. O, yes, I have. There was a colored man there by the name of Gent, who was killed about three miles from town by a body of men, some of whom I have since understood came from Hamilton County. Some two years ago we had a man arrested in the upper portion of the county, I disremember his name now. There was a colored family there by the name of Scarbord, who had rented land. He had had some difficulty with some man living next to him, something about some hogs that

were missing. His daughter was whipped and his wife was whipped; I will not be certain whether they whipped him or not, but they were driven off and he came down to town the next day and made his complaint before Mr. Tidwell. He issued a warrant and I went up to arrest the man he made the complaint against. The man was a hired hand, living with a man of the name of William Sapp. He told me that he did not belong to any such organization; but he said there was such an organization in that part of the county, and not only there, but it went over into Georgia. I asked him how he knew, and he said he had not been asked to join, but he was the kind of man they would like to have; a young man who would be able to go around at night on horseback, and all that. He said he told them he did not want to join any such band as that. I asked him how they operated. He said if there was anything to be done down in our county they sent word across the line into Georgia, and the party came from there; and if there was anything to be done over there a party would go from our county over there.

Question. Did he tell you how he got his information?

Answer. He said he got it from old man Sapp, the man he was living with.

Question. Have you any idea of the number of the organization?

Answer. I have not.

Question. Have you ever heard any one speak of the number?

Answer. I have heard one person speak of the number, who said he could just blow his horn and have eighty at his call at any time.

Question. Who was that man?

Answer. A man by the name of McClary. He said this while he was under the influence of liquor.

Question. Was this said in town?

Answer. Yes, sir, in my room.

Question. How came he to speak of it?

Answer. I do not know how he came to speak of it. He had always pretended to think a great deal of me; he lived right across the street from where I was boarding, and had a little girl who used to come over to the house. I do not know exactly how he came to speak of it, but I know he said so.

Question. Have there been any other acts of violence besides these murders and whippings? Have you had any burning or anything of that sort in your county?

Answer. Yes, sir; I had a store and a stock of goods burned on the 17th of last December.

Question. Had you any reason to judge whether it was done by accident or by an incendiary?

Answer. I think it was set on fire; in fact, I know it was as well as I know anything that I did not see myself.

Question. Have any other persons been burned out?

Answer. There was a man burned out there last Monday night. Mr. Katzenberg, a former senator from our county, has had his store set on fire twice. They have not succeeded so far in burning him out.

Question. Who was the man burned out last Monday?

Answer. Captain Hausman.

Question. Has there been any interference with elections, or disturbances on election days in your county?

Answer. Well, I do not know that there has been to any great extent. I know that at the last election seven or eight companies of men came there mounted and armed.

Question. What did they do after they came in town?

Answer. They rode around the town; they came in town the night before election, and I am satisfied that a great many colored men were kept away from the polls by it; I know there were some.

Question. Have you been a soldier?

Answer. No, sir, I was not in the army.

Question. My object in asking you that question was, if you had been in the army, to obtain your judgment whether those men had been drilled and organized, or whether they were mere chance companies of men?

Answer. They were all organized, every one of them. I was in the employ of the Government during the war, and before the war.

Question. State how far the victims of those murders and whippings and burnings have belonged to either one or the other political party?

Answer. So far as I know anything about them, they all belong to the republican party.

Question. Was that the case with the men who were burned out or attempted to be burned out?

Answer. Mr. Katzenberg was a former senator from our county, and a republican; Mr. Hausman voted the republican ticket; Mr. Egan, our senator there at this time, and myself, are republicans.

Question. That was the case with the people who were whipped?

Answer. Yes, sir; you can count on every colored man being a republican; that is, if they are not interfered with, they will vote the republican ticket.

Question. What is the difficulty in the way of punishing these offenders?

Answer. You cannot get a jury to convict them.

Question. Will your grand juries indict them?

Answer. Sometimes they will and sometimes they will not.

Question. After your grand juries find bills, have you any trouble in arresting the men?

Answer. Yes, sir, you cannot find them at all.

Question. How do they know they are to be arrested?

Answer. That I cannot tell.

Question. The proceedings of the grand jury are secret, are they not?

Answer. They are supposed to be.

Question. And when their bills are returned into court, they would be known only to the officers of the court?

Answer. That is all.

Question. Do the persons indicted seem to have information to enable them to escape, or how is it?

Answer. I cannot find them when I go for them or send for them.

Question. In your judgment, what is the real fact about it?

Answer. I think they get information from members of the grand jury.

Question. Have you ever been in any way molested in the discharge of your duties as sheriff?

Answer. Well, not seriously, not to amount to anything.

Question. Has any attack ever been made upon you?

Answer. In the discharge of my duty?

Question. Yes, or otherwise?

Answer. Yes, sir, there has been.

Question. Of what character?

Answer. About two or three weeks before our last election, I was shot at as I was going home. I was residing in the country, running a plantation there. I staid out in the country, and Mr. Eagan attended to the business in town. I came to the train about 11 o'clock at night. Our partner in the store in town, Mr. Schlesinger, was there seeing some friends. I generally asked some one to go out with me at night; I asked him to go with me. When we got about half way, about two miles, we were met by ten men, and fired at. My horse was shot in two places; my buggy was shot in two places, and I was turned over, and had to stay in the woods all night.

Question. Was any injury done to yourself?

Answer. No, sir.

Question. How many shots were there in all?

Answer. I do not know. I suppose some eight or ten. There were two shots in the horse and two or three in the buggy; and the next day they counted a half dozen shots in a tree by the road side.

Question. Do you know any of the parties?

Answer. I do not.

Question. Were they in disguise?

Answer. I do not think all of them were; some of them might have been, but I could not recognize them. They had been at my house before that; I keep a colored woman there as cook, and her son and husband were there; they came to my house and inquired if I was there, and they said I had gone on to town; they said they had some word from a man in Taylor County, of the name of Crews, and they wanted to see me; they said they would go on to town, and meet me. I lived about four miles from town, and when I got about half way I met six men; first I met two, and they asked me where Mr. Montgomery lived; I said I was Mr. Montgomery; they said they had a message for me—that Mr. Crews wanted to see me, and they would be up to Madison the next day. I did not stop my horse—I was walking up a hill—I said, "All right;" I went down a little further and met four more, and I went on a little further and met four more; they stood two on each side of the road, and as soon as I passed the last four, Mr. Schlesinger said, "Those men are all armed;" I did not pay any attention to that until I saw the last four. As soon as I turned around, I saw they were all armed, and I put whip to my horse and started; I had not got more than fairly started before they came after me and fired.

Question. How were they armed?

Answer. With guns and muskets.

Question. Who was Mr. Crews?

Answer. He was the former representative from Taylor County in the lower house.

Question. Had he expressed any wish to see you?

Answer. No, sir.

Question. Have you seen him since?

Answer. Yes, sir; he had no business with me at all; I never speak with the man.

Question. Have any of your citizens been notified or warned, by writing or otherwise, of dangers that hung over them?

Answer. I think so.

Question. In what way?

Answer. By letters.

Question. Have you any of those letters?

Answer. I have not.

Question. What is the character of those letters?

Answer. One colored man, a justice of the peace, of the name of Hall, fetched a letter some time ago, and showed it to us; it said that he had to resign, or, if he did not, he would be attended to.

Question. How was it signed?

Answer. It was signed K. K. K.

Question. Have you known of any other instances?

Answer. A colored man I had under me as deputy sheriff, by the name of Sampson, got a letter a year ago and better, may be.

Question. Was that of a similar character?

Answer. I believe it was.

Question. Have you known of other similar notices?

Answer. I have not.

Question. Have you had any served upon yourself?

Answer. No, sir.

By Mr. BAYARD:

Question. You say you have made some five hundred arrests in your county?

Answer. I think so; a large number—about that number. At the first county court we had there we had sixty-three cases.

Question. In what year was that?

Answer. The government went into operation in 1863, but the county court did not get running until 1869.

Question. How many of those cases were homicides?

Answer. None in the county court.

Question. Then those arrests were for petty offenses?

Answer. For everything; mostly for misdemeanors, larcenies, &c.

Question. Against whom were most of the writs directed—against black people or white people?

Answer. The most of them against colored people; that is, in the county court.

Question. What is the court that has criminal jurisdiction?

Answer. The circuit court.

Question. Who is judge of that court?

Answer. Judge Bryson.

Question. That is the court before which all cases of homicide would be brought?

Answer. Yes, sir.

Question. How many of those have ever been brought to trial?

Answer. There have been a great many of them.

Question. How many?

Answer. I cannot say exactly.

Question. You have mentioned the case of a man by the name of Glass; when was he tried?

Answer. I think it was in 1869.

Question. He was acquitted?

Answer. Yes, sir.

Question. On the ground of self-defense?

Answer. Yes, sir.

Question. You saw the trial?

Answer. I did.

Question. You were in court at that time?

Answer. Yes, sir.

Question. You attend the court as sheriff of the county?

Answer. Yes, sir.

Question. It is your duty to be there?

Answer. Yes, sir.

Question. How was the jury composed?

Answer. I think the jury that tried him were of white men.

Question. How are your juries generally composed?

Answer. Well, about half and half; that is, the regular venire is about half and half.

Question. What is the proportion of the two colors in your county?

Answer. About three to one, perhaps.

Question. Three blacks to one white?

Answer. Well, at our last election we polled thirteen hundred or fourteen hundred

republican votes and a little over six hundred democratic votes; there were some few white republicans.

Question. How many white republicans do you think you have in your whole county?

Answer. Maybe forty, maybe fifty, maybe more; if we could get them all out, maybe we could get up a hundred; the difficulty is to get them out to vote; they will not do it.

Question. Is there any trouble in getting the negroes out?

Answer. Yes, sir; we ought to have polled two hundred or three hundred more votes at the last election.

Question. You polled as many as you have stated?

Answer. Yes, sir; we had six hundred and thirty majority for the republican ticket.

Question. In a poll of eighteen hundred?

Answer. Yes, sir, and we ought to have had two or three hundred more.

Question. Do you know any man who belongs to any secret political organization?

Answer. I do not.

Question. Do you know any man who has told you he belonged to any such organization?

Answer. As I said before, this man McClary told me that all he had to do was to toot his horn, as he expressed it, and he could get eighty at his call at any time.

Question. You say he had been drinking at the time he made that statement?

Answer. Yes, sir.

Question. And made it to you in your own office in Madison?

Answer. In my own room.

Question. He lives in town?

Answer. Yes, sir.

Question. What is his business?

Answer. He kept a livery stable.

Question. That was his statement?

Answer. Yes, sir.

Question. And another man told you that he had got some information from old man Sapp?

Answer. Yes, sir.

Question. Did that man Sapp give you any information?

Answer. I got it from this man who was arrested, and who was working for old man Sapp.

Question. Then your knowledge was that a man you knew —

Answer. I did not know him at all; I arrested him for whipping this old man Scarborough and his family.

Question. A man you had in custody whose antecedents you knew nothing of, who had no personal knowledge himself of the transaction, told you that he had derived some knowledge from old man Sapp?

Answer. Yes, sir.

Question. Do you know where old man Sapp got his knowledge?

Answer. He said that old man Sapp was a member of the order, or knew all about it.

Question. He is a citizen of the county?

Answer. Yes, sir; he lives up on the Georgia line.

Question. Have you ever met with resistance in serving process?

Answer. Well, sir, I have not myself, personally; I had a case that occurred a while ago with my deputy. A man came in town by the name of Packer, pulled a pistol on a colored man, and said he was going to shoot him. The deputy said to him, "Put up that pistol, or I will arrest you." Some half a dozen people stepped up, and said he could not arrest him.

Question. He did not have any warrant at the time?

Answer. He did not want any warrant for that.

Question. He had no process?

Answer. No, sir.

Question. I asked you if you had any cases where your process had been resisted; I did not ask about your deputies without process.

Answer. I had one, yes; it was in a civil matter. I went up in the upper edge of the county and wanted to make a levy, and the man told me I should not do it. I had to call out all the people he had on his place. I summoned out, maybe, fifteen or twenty, and they all came out.

Question. Did you make a levy?

Answer. I did.

Question. You called a posse there?

Answer. Yes, sir.

Question. And they came to your help?

Answer. Yes, sir.

Question. It was a distress for rent?

Answer. It was an execution.

Question. You made your execution ?

Answer. Yes, sir.

Question. There was no resistance after your posse came ?

Answer. No, sir ; they were all colored men ; I never could get a white man to come to my assistance.

Question. They would not act as a posse for you ?

Answer. I do not think they would.

Question. In a case of that kind ?

Answer. No, sir.

Question. Have you ever tried it ?

Answer. Yes, sir.

Question. In what case ?

Answer. In several cases I have asked them to come, and they would not do it.

Question. What did you want them for ?

Answer. To keep the peace.

Question. When was that ?

Answer. Well, several times ; they said they did not want to be bothered with it at all.

Question. Did you go on and execute your process ?

Answer. The best I could ; yes, sir.

Question. Did you do it without resistance ?

Answer. Yes, sir ; I have had no resistance to me, personally, except at that time.

Question. And then you called a posse, which came, and you made your levy ?

Answer. There is no difficulty in making arrests, somehow or another, if I can get up with them. But the idea is this : you cannot, in our county, indict a white man and go and arrest him, if he thinks it is likely to be proved on him.

Question. Do you mean by that that he evades your arrest and escapes ?

Answer. I do, and that he gets his information from members of the grand jury.

Question. How often do your grand juries meet ?

Answer. Twice a year.

Question. They find their bills at the court-house ?

Answer. Yes, sir.

Question. The testimony is prepared by the prosecuting attorney ?

Answer. Yes, sir.

Question. Who sends it up to them ?

Answer. The testimony is taken from witnesses before the grand jury.

Question. The prosecuting attorney prepares the bill ?

Answer. Yes, sir.

Question. And sends the witnesses before the grand jury ?

Answer. No ; he does not know anything about the witnesses at all. The grand jury sends into court the names of the witnesses they want, and the clerk issues a subpoena, and the sheriff summons them.

Question. Who furnishes the names of the witnesses to the grand jury ?

Answer. Everybody ; I do, sometimes.

Question. How can the prosecuting attorney prepare his bill if he does not have the names of the witnesses ?

Answer. He gets the names of the witnesses afterward.

Question. After he has prepared the bill ?

Answer. Yes, sir.

Question. Do you say the prosecuting attorney prepares his indictment without seeing the names of the witnesses ?

Answer. I do not say any such thing.

Question. What do you say ?

Answer. I say that parties who know anything about the matter go to him, and he gets down the name of the case, and the witnesses are put down.

Question. Who does that ?

Answer. The secretary of the grand jury.

Question. According to your belief, the first knowledge the State has of the evidence is of the witnesses summoned by the grand jury themselves ?

Answer. Yes, sir.

Question. They are not summoned by the prosecuting officer ?

Answer. No, sir.

Question. He prepares his bill against the party without knowing any of the facts upon which the indictment is based ?

Answer. Only what he gets from the grand jury.

Question. That is your knowledge of the proceedings of the courts in your county ?

Answer. I think that is the way it is done.

Question. Are you clear that it is ?

Answer. I think so. If I am molested, I find out when the grand jury is in session, and if I want to go before them I make application, and I am summoned to go before the grand jury.

Question. As I understand you, the prosecuting attorney has no knowledge of the case until the grand jury have acted upon it?

Answer. He may have some knowledge of it.

By the CHAIRMAN:

Question. Your indictments are founded on the presentments of the grand jury?

Answer. Yes, sir.

By Mr. BAYARD:

Question. The method you have described has been the method of the prosecution of justice in the county of Madison since you have been there?

Answer. Yes, sir.

Question. When did you come to Florida?

Answer. In 1857.

Question. Have you been living here ever since?

Answer. Off and on.

Question. Were you here during the war?

Answer. Yes, sir.

Question. Where were you living?

Answer. In Key West; I was not in the State all the time during the war. I came to the State first in 1857, and have been here off and on all the time. I have been all through the Southern States since the war.

Question. What was your occupation before the war?

Answer. Mason, bricklayer, and plasterer.

Question. Have you carried on that business since the war?

Answer. Yes, sir.

Question. In Madison?

Answer. Right in this town and in Tallahassee.

Question. Were you appointed to the office of sheriff by Governor Reed?

Answer. Yes, sir.

Question. And you moved out to Madison County?

Answer. Yes, sir.

Question. Were you a resident of Madison County at the time?

Answer. I was a resident of Leon County at the time.

Question. He appointed you sheriff of Madison County, and then you moved into it?

Answer. Yes, sir.

Question. You have been there ever since?

Answer. Yes, sir.

Question. You are a supporter of Governor Reed's administration and his measures generally in this State?

Answer. Yes, sir.

Question. You spoke of mounted companies of men who came into your town the night before the election; how many were there in all?

Answer. Some four or five companies of them.

Question. How many in a company?

Answer. From sixty to a hundred.

Question. Did they all come in under one commander?

Answer. Each company had its captain.

Question. Who were they?

Answer. I do not know who they were.

Question. Was it in the night-time or in the day-time?

Answer. The first company I saw was in the night-time.

Question. Did they all come in together?

Answer. No, sir; they came in from different roads, from the different sections of the county where they were organized.

Question. Did they come in regularly?

Answer. Yes, sir, in cavalry order.

Question. Were they disguised?

Answer. No, sir.

Question. They were citizens of the county coming in?

Answer. Yes, sir, with arms.

Question. What arms?

Answer. Pistols, muskets, guns, &c.

Question. They came in in the night-time?

Answer. Some of them did, others did not come in until election day; they camped out in the woods.

Question. Is Madison County an extensive county?

Answer. It is a large county.

Question. Is it thinly settled?

Answer. Some portion is and some not. I think the census returns give us a population of four or five thousand.

Question. You, as sheriff, know the distance you have to travel in serving process; how far is it from the eastern border to the western border of your county?

Answer. About thirty-six miles.

Question. And how far is it through the county north and south?

Answer. I should suppose it to be about the same; the county is very nearly square; maybe not quite so much.

Question. Is there a great deal of wild land in the county?

Answer. Yes, sir, in the lower portion of it.

Question. Does that render it easy for your criminals to escape?

Answer. Yes, sir, and then they go into Georgia.

Question. You are on the Georgia line?

Answer. Yes, sir.

Question. Is that the chief way they have of evading your process?

Answer. I should think so; the court-house is not more than twelve miles from the line.

Question. Have you been about the country a great deal?

Answer. Yes, sir.

Question. Have you seen people in disguise there?

Answer. No, sir.

Question. The bands you spoke of who came in at the time of election as you have described are the only bands you have ever seen?

Answer. That is all.

By the CHAIRMAN:

Question. Let me see if I understand your grand jury proceedings. If I understand you correctly, a party who has an offense to complain of gets his witnesses, and they go before the grand jury?

Answer. Yes, sir.

Question. If the grand jury think it necessary to have others, they give the names to the clerk, and subpoenas are issued, and they are brought in before them?

Answer. Yes, sir.

Question. The grand jury examines the witnesses, and if in their judgment an offense has been committed, or the person charged ought to be prosecuted, they make their presentment, and upon that presentment the State's attorney prepares an indictment, and upon that indictment the party is tried?

Answer. Yes, sir; that is the idea exactly.

Question. Speaking in the language of the law, the indictment is founded upon the presentment?

Answer. Yes, sir.

By Mr. BAYARD:

Question. Does your prosecuting officer never draught an indictment and send it before the grand jury?

Answer. Do you mean just have him write up an indictment, and ask the grand jury to find a true bill on it, on his say so?

Question. Not at all. Does he prepare an indictment, with witnesses, to go before the grand jury?

Answer. Sometimes he does; but he resides in Columbia County, and therefore he knows very little of what is going on in our county; he never is there only at the sitting of the court.

By the CHAIRMAN:

Question. In some States the practice is to have a bill of indictment first prepared by the district attorney, and then the bill, with the witnesses, is sent before the grand jury. In other States, the witnesses go before the grand jury; they examine the testimony and ascertain the facts in the case, and decide whether an offense has been committed, and then an indictment is prepared upon their finding. I understand the last is the general mode of practice with you?

Answer. Yes, sir. I know it is very difficult for a northern man to live in the interior of the State.

Question. Why?

Answer. Because they say they do not want them there.

Question. Who says that?

Answer. Pretty nearly all the white citizens.

Question. What objection have they to a man simply because he is a northern man?

Answer. I do not know hardly.

Question. What objection do they urge?

Answer. They say they have got no business there; that they can get along without them.

Question. And are they made to feel that their presence is unwelcome?

Answer. Yes, sir.

Question. In what way?

Answer. In every way that a man could be made to feel it.

Question. How do they treat men who are not northern men, but who are southern men, and yet are active republicans?

Answer. Just as bad as northern men.

Question. What names do they call such southern men?

Answer. They call them scalawags.

Question. What do they call northern men?

Answer. Carpet-baggers. It does not make any difference how long a man has been here from the North, if he is a republican he is a carpet-bagger. I know they have made their threats to kill Mr. Eagan and myself, and get us out of the way, if possible, before the next election. After they made that raid on me, parties came to me, (I do not know whether they know anything about it at all,) and told me that they wanted to scare me away—did not want to kill me. They wanted to get rid of Mr. Eagan and myself before the election, and then they could carry the county.

Question. How many white republicans do you suppose there are in Madison County?

Answer. Well, if they would come out and vote, I think we might have from seventy-five to a hundred.

Question. What do you mean by saying, "if they would come out and vote?"

Answer. Well, public opinion is so strong that they will not risk it.

Question. What public opinion?

Answer. The white portion of the people. If a man goes there and he is known to be a republican, that is enough; he might just as well be anything else; he is looked down upon, and cursed and abused.

Question. How is his family treated—his wife and children, if he has any?

Answer. I do not know much about how they are treated; I never ask any questions about that, but I know from what they say, they are treated very bad.

By Mr. BAYARD:

Question. You are not married?

Answer. No, sir.

By the CHAIRMAN:

Question. I understood you to say you had a store in Madison that was burned down?

Answer. Yes, sir; it was burned last year.

Question. Is it known that you have lived in the State some fourteen years?

Answer. I should suppose so.

Question. Is there any difference made between new-comers from the North, or from the old free States, and those who come from the old slave States; do they make any difference between northern men and southern men who are new-comers?

Answer. Why, yes; I should suppose they do.

Question. What I want to know is, do they make a difference?

Answer. Make a difference in what way?

Question. In their treatment?

Answer. Yes, sir, certainly they do; that is, in this way: It does not make any difference where a man comes from, if he is a republican, whether he is a northern man or a southern man; he might as well give up the ship as to try and live there and associate with them.

Question. How is it with northern demorats who come there?

Answer. Oh, they are just as nice men as anybody.

By Mr. BAYARD:

Question. I take it from your account you are a pretty active political leader, are you not?

Answer. Well, I do not know; I will do all I can honorably, fairly, and above board for the success of the republican party.

Question. I do not mean to imply anything that is not correct.

Answer. I did not suppose you did.

Question. You mentioned the fact that you were obnoxious to people who opposed you in politics?

Answer. Only from my political opinions.

Question. From your activity in organizing your party?

Answer. I suppose so. Mr. Eagan and myself are the only two northern men in the county.

Question. You are leaders of your party there?

Answer. Yes, sir; I think the colored people will do pretty much as we tell them, because they believe we have done right. I think we have saved that town a half dozen times from being destroyed.

Question. How?

Answer. From being burned down.

Question. By whom?

Answer. By the colored people. The night after I was shot it would have been burned down but for Mr. Eagan. They hunted for me and could not find me, and they thought I had been killed and my body taken into the swamp somewhere.

Question. And they would have burned down the town of Madison in revenge?

Answer. They wanted to do it.

Question. You think but for Mr. Eagan and yourself they would have done it?

Answer. I was not there, but I think they would have done it but for Mr. Eagan.

Question. Do you know who burned your store?

Answer. I do not. There was a man by the name of Bryant, I had forgotten that, who was killed in our store.

Question. When?

Answer. It was right after I was shot at; I think it was in October of the last year; he came to town some time after I was fired upon, and was knocking around town; we had most of the colored trade in the county; he came in there only a few days after I was shot at, and was walking around town; he said that it was all a damned lie; that Montgomery had done it himself for political effect.

Question. This man Bryant said so?

Answer. Some colored men told me that he said so; that he said Montgomery had got the thing up, and they said that Montgomery had not done it, because the republican party was strong enough without it, and that who said so was a liar. The way I understand it is, that when they said that, he pulled out his knife, and said that he was going to kill anybody that called him a liar; some one hit him on the head with a crutch or something, and he died the next day from its effects.

Question. He was killed in your store by colored people in a row?

Answer. I do not know by whom he was killed.

Question. Was there anybody there but colored people?

Answer. Yes, sir; somebody must have been there, for I was in the country then.

Question. Who told you?

Answer. I heard of it when I came back to town; I had to go and arrest the parties who were accused of it.

Question. Whom did you arrest?

Answer. Coleman and Allison were the men I arrested.

Question. Who gave him the lie?

Answer. I do not know.

Question. He was killed then and there?

Answer. No, sir; he went out and went around town afterward.

Question. He died from the effects of the injury?

Answer. He died the next day.

Question. From the effects of the injury?

Answer. He might have died from something else; there has been no trial since.

Question. Has there been any indictment found?

Answer. Yes, sir.

Question. But there has been no trial yet?

Answer. No, sir.

Question. That was a year ago?

Answer. Yes, sir.

Question. You are now and were then the sheriff of the county?

Answer. Yes, sir.

Question. What is the population of Madison?

Answer. About six or seven hundred; we have about a hundred and three registered voters in the town, and allowing six residents to each voter, that would make between six and seven hundred inhabitants.

Question. What kind of a store did you have?

Answer. General merchandise of every description.

Question. And you had the chief negro trade of that county?

Answer. Ourselves and Mr. Katzenberg.

Question. That is what started your business?

Answer. Yes, sir; we had very little trade with the white people.

By the CHAIRMAN:

Question. How long after this occurrence in your store before it was burned?

Answer. That occurred just before the election, which was on the 7th of November, and our store was burned on the 17th of December. It has been reported since that it was burned by some of the friends of the man that was murdered.

Question. I understand you to say that the parties charged with the killing of Bryant have been indicted?

Answer. Yes, sir.

Question. Have they been arrested?

Answer. Yes, sir.

Question. Where are they?

Answer. In Madison.

Question. Waiting their trial?

Answer. Yes, sir.

By Mr. BAYARD :

Question. Are they colored men?

Answer. Yes, sir; Coleman was a member of the assembly.

Question. He was present at the time of the murder?

Answer. I suppose so.

Question. Whom did you elect to the legislature last year?

Answer. We elected two colored men to the lower house and Mr. Eagan to the upper house.

Question. Have you ever held any office in the State but the one you now hold?

Answer. Yes, sir; I was collector of our county for a time.

Question. Have you held any other office?

Answer. No, sir.

Question. Did you hold that office at the time you were sheriff?

Answer. Yes, sir.

Question. You held the two offices at the same time?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 11, 1871.

JOSEPH NELSON (colored) sworn and examined.

By the CHAIRMAN :

Question. What is your age, where were you born, and where do you now live?

Answer. I am going on twenty-two years of age; I was born in Calhoun County, Florida, and I now reside in Jacksonville. I stay with a gentleman here in his office.

Question. How long have you been in Jacksonville?

Answer. I have been here two years and one month.

Question. Where did you come from here?

Answer. From Marianna, Florida.

Question. That is the county-seat of Jackson County?

Answer. Yes, sir.

Question. Why did you leave that county?

Answer. Because I could not stay there in safety; they attempted to kill me, and I had to come away.

Question. What was your business in the county?

Answer. I was following the carpenter's trade, and was farming at the same time. The last year I staid there I had a good crop on hand, but I had to come away and leave it to one of my brothers who is back there.

Question. You are a mechanic by trade?

Answer. I have not learned a trade.

Question. Who told you that you could not stay there?

Answer. They did not tell me that I could not stay, but they just said they were going to kill me.

Question. Who said so?

Answer. They never told me so, but I was told that I would be killed if I staid there. Jack Myrack and Billy Coker said they would get me. They came around to the stable one day before I came away; they saw me going there, seven of them. I did not know the rest of them; they were telling me what they were going to do with me. They wanted me to go down into the bushes; they said they had some questions to ask me. I said if they had any further questions with me than I had with them, they could go into the back yard. They caught hold of me, and wanted me to go into the bushes with them, but I said I would not go. After a while the man who kept the stable, Wash Chapman, came there, and wanted to know what was the matter; I told him what it was, but they did not say anything. They wanted to know where I was at the time of the fuss, and I said I was there. One of them said, "I heard you were going off." I said, "Yes, I cannot stay here, and I am going to Jacksonville." I had been here in Jacksonville one fall before that; I always come here in the fall, and I farm there in the summer. They told me they were going to have me if they had to get me on the way. One of the men said so; I do not know what his name was; he was a stranger to me. I told him, "All right, I am going; I have made up my mind to go to Jacksonville, and I am going." He said, "When are you going to leave?" I said, "On Monday;" that was on Saturday. He said, "You must look out for yourself; you

will be caught on the way." I said, "All right; if anybody can kill me any quicker than I can kill him, just let him do it. My father has as good a double-barrel gun as anybody, and he told me to carry it along. I am going to take it, and I will not be stopped by anybody." They said, "All right; we have got you." Monday morning at 6 o'clock we were to start. They commenced shooting around, and about two miles from town I saw some parties. We did not get up with them so as to see them. There was a kind of swamp on one side, and a large field on the other belonging to Mr. Frank Ely. We came on down to Chattahoochee, some twenty-odd miles from Marianna. About fifteen miles from Marianna some men with guns overtook us, and asked us where we were going, and I told them it was none of their business. Three of them rode up, and said, "Where are you going?" I said, "I am going to Jacksonville, but it is none of your business." I knew one of them; he was from down right where I came from. I had my gun across my lap. Mr. Chapman, the man I was staying with, was on ahead; he kept a livery stable, and brought me over. There were three wagons and two hacks; there were a lot coming down to the hotel. My step-father and my brother had to come away; they could not go home any more. They went there and run them out; he gave his testimony here this morning—Henry Reed. I was courting a girl there, and I went to see her; she was a white lady's chambermaid. We were sitting on the door-step talking, and the white children were there. When the firing commenced, she asked where it was. I said it was down to some place; there was a Jew who had moved there, and they had been after him to kill him.

Question. Was his name Fleischman?

Answer. No, sir; he had been killed there; I saw the blood on the road where they had killed him. The reason I told her it was down there was, that when I came in from the plantation, I always went to his store to get what I wanted on credit. When I would get my crop ahead, I would go and work with my boss awhile, to make some extra money. At that time, when I was in the store, Billy Coker came in and said, "Give me a box of sardines and a box of oysters." He was about half tight. He said to me, "You arrested Jack Myrack, I understood." About a month before that, when I had come into town, the deputy sheriff had summoned me to go out and arrest Jack Myrack, who had been shooting several colored people; he went into a white lady's house and tried to ravish her. We went out about a mile that night to arrest him; when we got there he was not there. He stopped at the house of an old man of the name of Bassett. There were eight of us. We were put all around there. When he came up, he told me not to bother him, he and another fellow of the name of Pete Altman. They had some whisky-bottles in their pockets. When they went by, they both had their pistols out. When they got up to the house, the deputy sheriff said, "Halt! who is that?" He said, "Who is that? by God, it's me." They then broke, and they snapped their guns at him, but they did not go off. He turned around and fired at them. The deputy sheriff hollered to me, "Look out, Nelson." I hollered to him, "All right." When he got to me, I hollered to him, "Halt!" as he was coming down the lane. "Halt, hell!" said he. By that time we were both right together. He was a large, tall man, taller than either one of you gentlemen. Pete Altman is a little fellow. Just as they jumped the fence, I snatched both of them and stopped them. I was more particular with them than any of the rest of them. They were harder on me than the rest. The sheriff came up, and then they put their pistols in their pockets. They did not search for their arms, and I said to the deputy sheriff, as we were going back to the house, "Are you not going to take their arms away from them?" He said, "Yes." When we got to the house, they wanted us to go into the house and take a drink, but the deputy would not allow us to do it. They kept on insisting that we should go into the house. I said to him, "If you go into the house I will not have anything to do with it, for he has guns in the house." He did not let them go in, for if they had got in there they would have shot us right off. I went up to Myrack and asked him if he did not have a pistol. I saw him put his hand on it two or three times, as if he wanted to get a chance to shoot. Jack Myrack would shoot you anywhere if he wanted to. We took the pistols away from them, and went on back. He attempted to get away once and I got him again. They put me to mind him, and he tried to get me to let him go to his mother's. They were going to put him in jail, and they sent me with him, as the deputy sheriff had to go off for somebody else. I went to his mother's, and she said, "Don't you put your foot in my door." I said, "No ma'm." I said, "Mr. Myrack, come back here, and I will take you back to jail." He said, "What?" as if he was writing; I saw he was not writing anything. He said, "I want to step in here and get a drink of water." I asked his mother to bring him a drink of water, for I had heard some one bring something there and set it down just out of the door. He was in the parlor, and I would not let him go further. I told Mrs. Myrack to bring him a drink of water, and she brought it. He stood by the door, and he seemed to want to get in there. He told his mother to open the door and she opened the door wide. He said, "I want to step inside of the door; you can come with me." Somebody had slipped him a pistol after he got into the room; I do not know how it was done. I found it out and took it away from him, and took him back and delivered him up. After that

they were always trying to kill me; they did not like me anyhow, for I was always with the republicans whenever anything was to be done—in speaking or anything of the kind. They were down on me on account of that, and then at the time of the fuss they tried to get me out and kill me.

By Mr. SCOFIELD :

Question. Are you going on by and by with your story about leaving Marianna?

Answer. I can finish telling that.

Question. It seems to me you have got off on a great many side stories.

Answer. I can tell you about that; I will finish out that story of my getting through from Marianna to Jacksonville.

By the CHAIRMAN :

Question. These occurrences you have mentioned—your arresting these men, &c.—were before you came away?

Answer. Yes, sir.

Question. You have said that somebody had asked you if you had been concerned in arresting this man?

Answer. Yes, sir; Billy Coker asked me about it in the store. It was in the Jew's store. I forget his name.

Question. Was that the night your step-father was shot?

Answer. No, sir; he was shot the next night. While I was there, in the store, he wanted me to be a witness for him; there was no one present. When he started, all went out. I was standing there, and he had one of these large pistols cocked, and went up and struck this man over the head with it once, and then told him that if he said one word he would blow his damned brains out. I had been behind the counter; he allowed me to go around in the store. I was then on one side of the counter, and Coker wanted to know, after it was all over, if I would be a witness for him; I told him I would. He asked me what I was going to say, and I told him what I was going to say. He said, "No, I want you to say" so and so. I said, "When I come up before anybody to tell the truth, I will tell it." He said, "God damn you, if you don't tell what I want you to tell, I will blow your God damned brains out." I said, "What do you want me to tell?" He said that he wanted me to say that he went there, and that the Jew had insulted him. He had his pistol out when he came in. I told him, "All right," and he went around to the back part of the store, where there was a room in which he kept his liquors.

Question. Who went back there?

Answer. Billy Coker; he went outside the store, and went back there. He said, "Good evening to you, God damn you; I will get you before the night is out."

Question. Did he say that to you?

Answer. No, sir; to the man who kept the store. I was going on up to where the girl was, about 7 or 8 o'clock, and I saw him get down to the door, and then he got up and came running after me, and I thought he was going to shoot me. He said, "Don't you tell anybody you saw me get down there; I am going to kill that God damned rascal to-night."

Question. What door was that?

Answer. The back door of the store. I went on up to the house, and he went right back. When I got to the corner, I looked back and saw him on his knees there. The moon was shining just as bright as it could be. I was sitting down telling the children and Mrs. Chapman and this girl what I was going to say about it. About that time Mrs. Chapman walked out on the porch, where there was a stand and a bucket of water on it. As she was drinking some water we heard three guns fired. She said, "Lord a mercy! where is that? Some poor negro is killed now." I said, "No, I guess it aint; I left Mr. Coker at the store door stooping down." She said, "Well, I declare, Billy Coker will be hung yet."

Question. That was the night Henry Reed was shot?

Answer. No, sir; the night before; she kept on after me to go down and see where it was and who it was. We then went out on the front piazza; we were out on the back piazza before. I told her that I did not care to go down right away. She said, "You must go down for me." She then said, "Mr. Chapman, you must not go; I do not want you to go." I started, and then I come back and said, "I do not believe I will go." We all heard the hollering, and I went around to the hotel, and there was nobody there but old Doctor Boswell, who keeps the printing office. When I got there, he said, "Hallo, Joe, what is this shooting?" I said, "I do not know." When I got into the room some six or seven gathered about me and drew their knives on me, and I flitted away from them. By that time Jim Coker came up and asked where I came from, and I told him. He said, "All right; go on round." He was then the main man to get a crowd up and go round to shoot me; he was going around to show them where to go. When I went back home, Mrs. Chapman went around to the hotel, for Mrs. Hathaway, the wife of the man who kept the hotel, was her cousin. They said that I had had something to do with the shooting; she said I did not, for I was at her house all the

time. I got up and told her "Good night;" she said "No, I told you once you must not go; I declare if you go home to-night they will kill you; I heard them making up to go and kill you." I said, "I guess I can go home, and if I get home I will be all right."

Question. Did you go home?

Answer. No, sir; she would not let me go out at all. One day I ventured to walk down to the stable, and I saw these six or seven men together running around with guns.

Question. How long was this before you left?

Answer. The shooting was done on Friday night, Thursday or Friday, and on Saturday evening. I went to the stable. They had a little boy who was sick, and I went down to get some shucks and oats together, for they had an English cow. Just as I got to the stable door some of the boys said something, and I looked up the street and saw some men coming.

Question. Was this before or after the shooting at Henry Reed's?

Answer. This was on Saturday evening, and they went to Henry Reed's house Saturday night.

Question. Who was his son who was shot when he was trying to get away?

Answer. His name was William Reed.

Question. Your step-brother?

Answer. Yes, sir.

Question. That was Saturday night?

Answer. Yes, sir.

Question. What day did you leave?

Answer. On Monday morning.

Question. Mr. Chapman went away with you?

Answer. Yes, sir; I hired his whole team myself.

Question. Where did you strike the railroad.

Answer. At Quincy.

Question. You spoke of those men you saw coming in carriages?

Answer. I did not say I saw any coming in carriages; I saw three men on horses, who overtook us. They came to us and asked us where we were going.

Question. Did you know the men?

Answer. I knew one who came from town; I did not know his name; the other two I did not know.

Question. Did they molest you in any way?

Answer. They asked me where I was going, and I said, "To Jacksonville; it is none of your business." I said no more; the other parties were sitting there, and they made me hush. He said, "We will find out where you are going." They then broke on right straight down the road ahead of us.

Question. Did you see any more of them?

Answer. We followed them; we had a good dead road, just level; you could trot a heavy train right along. They went on and we saw them for about two miles, and then they disappeared in a bend of the road. We went on about a mile further, and then we saw them away across in the pine woods; that was within fifteen miles of Chattahoochee when we first saw them. They then went across in there.

Question. You came back to Jacksonville and have not been back there since?

Answer. No, sir.

Question. Who fired those three shots you spoke of hearing while you were on the back porch of Mr. Chapman?

Answer. I do not know who fired them; I know who fired one; Mr. Billy Coker fired one.

Question. That was the time you ran down to see who had done it?

Answer. The firing was all over before I started; I did not know who had done the shooting at all. Mr. Coker said that he returned one of the shots; that is the way I knew.

Question. Had there been any mischief in the county before you left; any whipping or shooting?

Answer. I think there was a great deal of it.

Question. How much?

Answer. It was going on from the time of the emancipation up to this time.

Question. Can you name the persons who were killed?

Answer. I can.

Question. Give their names.

By Mr. BAYARD:

Question. And the dates.

Answer. The month?

Question. The year and the month.

Answer. I do not know that I could give that.

By the CHAIRMAN :

Question. Give their names first?

Answer. I can give some of their names. The first one that was killed there to my knowing was Oscar Granbury ; he was one of the republicans, a very daring man, and had a splendid education.

Question. Who killed him?

Answer. I could not say who killed him.

Question. Where was he killed?

Answer. They carried him out to the back of a place they call the Old Russ place, into some bushes, just in the trail.

Question. Do you know of others who were killed?

Answer. Old man Mat Nichols and his son and his wife were killed.

Question. Which was killed first?

Answer. I do not know which of those three was killed first.

Question. Who was killed first, Nichols or Granbury?

Answer. Granbury was killed first.

Question. Do you know any others who were killed in the county?

Answer. I do not know their names now ; that is I can't think of them.

Question. Do you know anything about the killing of Rogers?

Answer. Calvin Rogers was killed since I came away from there.

Question. Do you know anything about the killing of Doctor Finlayson?

Answer. That was done before I went over there the last time ; I was in Jackson-ville then.

Question. Was any harm done to the proprietor of the store where you were?

Answer. Nothing that I know of ; there was nothing done to him that year ; they went into the store and took what they wanted.

Question. Do you know anything about any bands of men going around at night in disguise?

Answer. I do not know their names, only Billy Coker, Jack Myrack and Pete Altman.

Question. Have you ever seen them?

Answer. I have.

Question. How many times?

Answer. I have met them several times.

Question. How many together?

Answer. I met Billy Coker, Jack Myrack, and Jim Coker's clerk, I forget his name ; I have sometimes met as many as seven in the crowd.

Question. Were they all disguised?

Answer. They had on a common dress, and old hats ; some would have guns by their sides. I never met them anywhere but right by the grave-yard, or out at the place where they shot another fellow, one by the name of Pitman—Silas Pitman. He started to change his name, but he did not change it. He and I were walking from church one night, and he went out to his place where they killed Oscar Granbury, on the Old Russ place, and just as he got into the bottom, just below there, I heard two guns fired, and I heard him holler ; I broke for him, for I knew it was him.

Question. Was he killed?

Answer. No, sir ; but he was shot with fifteen buck-shot in his thigh.

Question. Did you see the men?

Answer. When I got there I saw nobody ; there was so much smoke from the powder that you could hardly see him.

Question. Have you ever seen these men more than once?

Answer. I have seen seven, two or three times.

By Mr. BAYARD :

Question. Did you know who the parties were?

Answer. I only know Bill Coker, Jack Myrack, Pete Altman, and a fellow who was clerk for Mr. Jim Coker ; I do not know his name.

Question. You say they were disguised ; what was their disguise?

Answer. They were dressed in cracker-fashion, with old white or black hats, pulled down over their faces, and with long boots on.

Question. They were dressed in old clothes in that way?

Answer. Yes, sir.

Question. That is what you meant by their being disguised?

Answer. Yes, sir.

Question. They had no masks over their faces?

Answer. No, sir.

Question. You could recognize all three of the men?

Answer. Yes, sir, and I knew them.

Question. The others were strangers to you?

Answer. I knew that some of them were not citizens.

Question. These men, by your statement, seem to have been concerned in various acts of outrage, as well as shooting people, &c. What was their character; were they notorious as desperate men?

Answer. No, sir; they were clerks there. The people would suspicion them, all the while they knew they were just such men. They suspicioned a fellow there by the name of George Wiggin, old Judge Wiggin's son; he used to go out sometimes.

Question. What were those men going about for?

Answer. They just go about, and you would hear of them in this way; if they met a colored man on the street they would have a few words with him, and then they would shoot him right on the spot, or walk off some distance and shoot him.

Question. They were bad, desperate men?

Answer. Yes, sir.

Question. Why did you not have those men arrested?

Answer. You could not have them arrested; they would get out of the way when you searched for them.

Question. They would run off?

Answer. Yes, sir.

Question. You were acting as deputy sheriff?

Answer. Yes, sir.

Question. You say Jack Myrack is a large, big fellow?

Answer. Yes, sir.

Question. He is a reckless, desperate, man?

Answer. Yes, sir; one who will shoot anybody at all.

Question. You spoke of ordering him not to go into a house; were you by yourself?

Answer. I was by myself.

Question. What means had you of controlling him?

Answer. I had a pistol and a double-barrel gun.

Question. Had you the gun drawn on him so that he knew that you would shoot him?

Answer. He knew I would shoot him.

Question. Would you have shot him?

Answer. I would.

Question. Was your gun cocked?

Answer. No, sir; but he knew I could cock it. When I went away, the judge told me to bring him back there if I had to bring him dead.

Question. Who told you so?

Answer. Captain Dickenson.

Question. He was a justice of the peace?

Answer. Yes, sir.

Question. He was in Captain Dickenson's office in custody?

Answer. Yes, sir.

Question. He wanted to go home?

Answer. Yes, sir; he started two or three times to go, just got up and walked out, and we started after him and brought him back.

Question. How many did that?

Answer. There were eight of us.

Question. You arrested him and brought him back?

Answer. Yes, sir. After daylight he wanted to go up home; he started to go before light, but we would not let him go. After light he said that by God he didn't care whether he went or not. He asked permission again to go and he told me to go with him.

Question. Captain Dickenson told you so?

Answer. Yes, sir; told me to go with him and bring him back; bring some of him anyhow.

Question. To bring him back alive or dead?

Answer. Yes, sir.

Question. Did he make that statement in the presence of Jack Myrack?

Answer. Yes, sir; and he knew I would shoot him if he did not come back. I had a pistol buckled around me, and he knew I would shoot him, because I had arrested another fellow over there; I had been in a party of men and arrested another man.

Question. Was he a white man that you arrested?

Answer. Yes, sir. He came over there and shot down a colored man. I do not know what they ever did with him. We went to arrest him, and he just stopped and went to shooting; I went on up to him and arrested him and brought him back. Jack Myrack always said after that that he believed I would shoot, and if he heard my voice he would stop.

Question. Did you ever shoot anybody?

Answer. I never did.

Question. He only believed that you would do it?

Answer. Yes, sir.

Question. Who were those three men who took Oscar out and killed him?

Answer. Jack Myrack, Billy Coker, and —

Question. The same party?

Answer. Yes, sir.

Question. How long before was that?

Answer. That was two years ago last month.

Question. In 1869?

Answer. Yes, sir.

Question. Was it known that they had killed this colored man Oscar?

Answer. The colored people all knew it, and the white people, too; but they wont say.

Question. Did you know it?

Answer. Only from what I heard. I knew they took him out from where he was staying.

Question. What did they take him out for?

Answer. They were going to make him go and get his gun and give it up. They said that if he did not tell where everything was——

Question. Where everything was?

Answer. They wanted to know where Calvin Rogers was.

Question. What had he done?

Answer. They suspicioned that he had done some shooting. They saw Calvin Rogers coming down town, and just as he got down one block from the court-house they commenced shooting at him; but he made his escape. Then after that they went on for him, and because he and Granbury was very thick all the while. Calvin was deputy sheriff——

Question. Did you ever know any other people engaged in these acts of violence, except these seven men?

Answer. I have never seen them, not to know them if they were out. I have seen men who I thought would do such things. There was Joe Barnes, and old man Tom White's son Willie; Joe Barnes would shoot you anywhere.

Question. I am speaking of men banded together?

Answer. Those three men who were with the seven were all that I ever saw and knew.

Question. They had nothing over their faces?

Answer. No, sir.

Question. They had no disguise, except old clothes and old hats?

Answer. No, sir.

Question. They operated just in town?

Answer. Or just around there. They would go around on the plantations when we were boiling sugar. They would shoot people on the way that were going out to the sugar buildings, or when they were going to church, or coming from church. Almost every church night there you could hear of somebody being shot.

Question. You believe those three men were always concerned in it?

Answer. Yes, sir.

Question. Do you think those three men created disturbances around your neighborhood?

Answer. I do not know that they did it all.

Question. You believe they were concerned in it?

Answer. I do. I know Sergeant Barnes; you could see him go around disguised; he is around there now; a white man shot him last year. They went off and were setting for Major Purman, I believe. I am not certain, but I believe it was Major Purman. They were setting for him, a crowd of them in the woods, to shoot him. They were playing cards and got into a fuss or a dispute, and a man shot Sergeant Barnes in the thigh with a pistol, and he has never been able to go about since. But before, you could hear of Sergeant Barnes being around there every time that anybody was shot. The night that Silas was shot I was going over home; I was walking very slow; I did not care to go to church right away. I saw two men walk from the corner where there was some brush and a grape-vine, and a sticky willow; I could hear the sticks breaking. I kept my eye on them until I got away. That was the night Silas was shot, and I thought when I saw them that one was Sergeant Barnes. He is just about such a built man as you are; every one in the country could know him by his walk.

Question. Who was shot the Saturday night before you went away?

Answer. There was no one shot.

Question. When did you hear the three guns fired?

Answer. When I was at Mr. Chapman's.

Question. Who charged you with doing that?

Answer. I heard the next day that Mr. Coker said I was there.

Question. And Mrs. Chapman said that you had been at her house, and could not have done it?

Answer. Yes, sir.

Question. Did anybody else charge you with it?

Answer. This same fellow, Joe Barnes.

Question. Did they seek to have anything done with you before the courts for that?

Answer. No, sir.

Question. Was not that why you left Marianna at that time?

Answer. Yes, sir.

Question. On account of that?

Answer. Because they said they were going to kill me.

Question. Was it not on account of their charging you with being connected with that shooting?

Answer. No, sir; it was not on that account; I was going away anyhow. After they attempted to kill me, I had to stay at Mrs. Chapman's; she kept me there close.

Question. You have been at Jacksonville ever since?

Answer. Yes, sir. When they attempted to kill my brother and my stepfather—

Question. That was Henry Reed?

Answer. Yes, sir. I went over to my father's and brought them away, and several that they had threatened to kill.

Question. How old are you?

Answer. I am going on twenty-two.

Question. Did you ever vote yet?

Answer. Yes, sir.

Question. When did you vote?

Answer. This last election.

Question. When was your first vote cast?

Answer. Last year.

Question. While you were at Marianna you were too young to vote?

Answer. Yes, sir.

Question. Did you ever vote there at all?

Answer. I was under age when I was there.

Question. How old are you now?

Answer. I am twenty-two.

Question. When did you come away from there?

Answer. Two years and one month ago.

Question. Did you ever vote in Marianna?

Answer. Just as I got there I voted for some officer; I do not know who it was.

Question. You went to the polls and voted with the rest?

Answer. Yes, sir.

Question. Are these three men, Coker, Myrack, and the other one, living there now?

Answer. No, sir; they run away.

Question. Did they go out of the State?

Answer. They were there around the house about 12 o'clock. I got Mr. Chapman to go up and tell them to send my dog down. I had a splendid dog; he had a great deal of sense, and I was afraid they might kill him. He went up and got him, and brought him down for me. They came there and knew him, and called him. I heard their voices. One of them said, "Here Sherman, here Sherman!" He kept barking right square along. I was out in the yard then, talking with this girl. Mrs. Chapman tried to keep me from going out. I thought the dog would bay them before they got in, if they came. After awhile I sent Lou in the house, and told Mrs. Chapman that somebody was out there. When she came out I went in the house, and as I was passing I heard some six or seven guns cocked, so it seemed to me, but nothing was said. Just as I heard the guns cocked, I made a spring into the house. They staid there until 1 or 2 o'clock. That was the last night I ever saw any of them around there; they were missing the next morning.

Question. They have cleared out and have left the country?

Answer. Yes, sir.

Question. Those are the men you think were mixed up in those offenses you have described?

Answer. Yes, sir.

Question. Who was the sheriff of your county when you were there?

Answer. A man they got from Tallahassee; I do not know what his name was; I forget his name.

Question. Was he a white man?

Answer. Yes, sir.

Question. Was he appointed by the governor?

Answer. Yes, sir.

Question. From another county?

Answer. Yes, sir; from Tallahassee.

Question. Were his deputies colored men?

Answer. Yes, sir; some of them.

Question. The men summoned to make arrests were all colored men?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Was the high sheriff's name King?

Answer. I think that is his name; I am pretty sure it was his name.

Question. I understand you to say that you voted once in Marianna?

Answer. Yes, sir.

Question. How old were you when you voted there?

Answer. I was nineteen or twenty, I guess. They told me to go up and vote; they said I was old enough, and I went up and registered and voted. I did not know, exactly, how old I was then; but afterward I found out my age. I have voted since I have been down here.

By Mr. BAYARD :

Question. You were born and raised down there?

Answer. I was born and raised in Florida. There are very few white men in Florida I do not know. Those I do not know are crackers. I know pretty much all of them around Marianna, for a hundred miles, except crackers.

Question. Who are crackers?

Answer. The poor people who have got nothing. They come in and do the shooting, and get pay for it. They go down to Coker's store, and he tells them what to do, and we get it from the colored boys in the store.

Question. Did you ever hold any office in this State?

Answer. No, sir.

By the CHAIRMAN :

Question. Are these men, Coker, Barnes, and others, what you would call crackers?

Answer. They are as wealthy men as there are around there; they own a great deal of property.

Question. You spoke of one of the Coker's having a clerk. What business was he in?

Answer. He had a very large building, nearly as large as this, almost, with a grocery store on one side, and then a store with nothing but whisky, and such things, in it; then he had a large dry-goods store.

Question. Those men were men who stood well in that community, as far as property and family were concerned?

Answer. Yes, sir; they had plantations and own several lots around town. Barnes had a large grocery store.

Question. Did they own slaves before the war?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 11, 1871.

W. J. PURMAN sworn and examined.

By the CHAIRMAN :

Question. Please state your age, where you were born, where you now reside, and what is your profession.

Answer. I am thirty years of age; I was born in Pennsylvania, and now live in Marianna, Jackson County; I am a lawyer by profession.

Question. Are you connected in any way with the State government of Florida?

Answer. Yes, sir. With reference to my residence, I desire to say that, while I do not actually reside in Marianna, yet I have answered that I did, from the fact that I am unwillingly away from there at this time.

Question. Explain why you are unwillingly away from there.

Answer. That is my home; I am unwillingly away from there because I am not permitted to live there, in consequence of the murderous political opposition to me; my life would not be safe there for one hour; that is a sentiment publicly expressed by the leading men there.

Question. Have any attempts been made upon your life?

Answer. Yes, sir.

Question. When, and in what way?

Answer. In February, 1869. When I and the clerk of the court, Dr. Finlayson, were going home one evening from a public concert, about 10 o'clock at night, we were fired upon in the town, and Dr. Finlayson was killed, and I was shot through the neck. I recovered in five or six weeks. As soon as I was well enough to travel, public business, as chairman of the committee to negotiate with Alabama for the transfer of West Florida to that State, called me to Montgomery, Alabama.

Question. You have not fully answered me, as to whether you are connected in any way with the State government.

Answer. I was then a member of the State senate, and I am so still.

Question. And it was as a member of that body that you were serving upon this committee of which you spoke?

Answer. Yes, sir; after completing that business in Montgomery, the condition of my health required that I should go north. On my return in September, when I got as far as Washington City, I was informed of the murdering and rioting going on in Marianna at that time. I came as far as Tallahassee, and the governor of the State, as well as all my other friends, would not permit me to go over to Marianna, in consequence of the danger and threats against me as a public man. I might here give a short history of what those murderings and riotings were at that time.

Question. Do so, if you please.

Answer. On the 28th of September, 1869, the colored people had a picnic about two miles out of Marianna; while proceeding there peaceably in their carts and wagons, with their women and children, they were fired upon by unknown parties, and one man and one little boy were killed. A day or two afterward J. P. Coker, Colonel McClellan, and Miss McClellan, and some others, were sitting on the piazza of the hotel; that party was fired into; Miss McClellan was killed and Colonel McClellan was wounded. Tremendous excitement prevailed; the chivalry assembled under arms; virtually put Marianna and all that section of country under martial law; had their provost marshal, and pretended to arrest Oscar Granbury, a leading colored man there, and Matt Nichols; they took them out of town and killed Granbury, but Nichols succeeded in escaping from them. They took Mr. Samuel Fleishman, a white man, and a merchant of twenty years standing in that country, out of his store, ransacked his store, took away all the arms and ammunition there were there, carried him by force into the State of Georgia, and declared that if he put his foot into Jackson County again he would be killed. Fleishman came back a few days afterward and was killed a few miles outside of Marianna. I am not quite certain about the name, but I think Matt Nichols and his wife and little boy were taken from their house in the day-time, carried off a half a mile or so, and all three murdered. William Bryant was called upon to come out of his house; he jumped out of the window, was fired at, and wounded, but escaped with his life.

Question. Was he a colored man?

Answer. Yes, sir. Two men, by the name of Sullivan and Cox, while proceeding out of town on their way home, were both badly wounded; one was a white man and the other a colored man. Another colored man, whose name I have now forgotten, was killed on a plantation about eight or ten miles out of town. The chivalry kept that town under virtual martial law for several weeks, according to the best of my information, and that was the reason why I did not go to Marianna at that time.

Question. These occurrences took place after you had been shot?

Answer. Yes, sir; I was shot in the February preceding, and these things took place in the September following. I did not go to Marianna then, because the governor and all my political friends thought it unadvisable for me to do so, and because threats were publicly made forbidding me from going there. One year thereafter, in August, 1870, (during the intervening time I did not visit Marianna,) I, in company with Colonel Hamilton, member of Congress from this State, visited Marianna; I was then United States assessor for this State. We visited Marianna under these circumstances; we arrived in Marianna, and it produced quite a consternation at once; judging from the reports of fire-arms that took place during that day, they must have been cleaning out their pistols and shot-guns, and preparing for operations. We stopped with the sheriff and the county clerk, at their house.

Question. Who was the sheriff, and who the clerk?

Answer. The clerk was John Q. Dickinson; the sheriff was Thomas M. West, a southern man.

Question. Do you mean a southern man by birth?

Answer. Yes, sir; a native of the South; Dickinson was a northern man. We were secretly informed that a raid would be made upon the house, and that we were all to be murdered. The first programme was to poison the watch-dogs, of which we had three. No attention was paid to this secret information, but on the next morning, when we woke up, we found the three watch-dogs lying stiff and stark, dead in the yard. We then believed there was a programme of that sort on foot, and the next night we were on guard. There was great excitement in town; running of horses, blowing of horns, &c. About 12 o'clock a man on horseback approached the house, and surveyed it very leisurely, and then returned. He happened to find that every window in the house was open, and probably he saw a man with a double-barreled shot-gun at every window, to the number of perhaps twelve. I suppose he reported that information, and there was no raid that night. On Saturday we had a public meeting of a political character, in the public square. At that meeting a great many men who lived in town were there on horseback, with blankets and overcoats strapped on their saddles behind, which in that country means being in the proper fix to go to Texas. Others appeared there in buggies, with double-barreled shot-guns; probably fifty or

sixty men of that character were there, while none of the more peaceable citizens were there at all; showing a certain programme to be carried out. One or two speeches were made, but the danger was so great that the meeting was adjourned. They had three or four men there from Columbus, desperadoes, who were to commence the fight. They call them in that country "twenty-dollar" men, who are known as assassins, and who will kill any man for twenty dollars. They are often found through that country as horse-drovers. The meeting was adjourned, to assemble again in front of the sheriff's house in the afternoon.

Question. At what time in the day was this meeting in the square?

Answer. About 10 or 11 o'clock. Immediately after the meeting adjourned, parties of men started out from Marianna; some parties with guns, giving out that they were going off on a hunting expedition; other parties went out with fishing-rods, pretending to be going upon a fishing excursion. This was merely a pretext for the absence of different parties from town. We found upon investigation that every cross-road, by-path, dog-path, every possible avenue of escape from that town was blockaded. At night, men were halted in every direction on the roads, and of course we had reason to presume it was the same in the day-time. To go back a little: This sheriff, who was a southern man, had a brother who was a planter; that brother came there and begged, with tears in his eyes, that the sheriff should go out and stay with him in the country, should go away from that house. They also attempted to get the sheriff drunk, and abduct him, and carry him away by force, and they almost succeeded; they did not do it, however. This only shows that they wanted to get away the sheriff, who was a southern man, and then make a raid on us. Finding that we could not leave Marianna when we wanted to, we called in some of the oldest citizens, men of standing, integrity, and property, and explained to them the condition of things. They pretended that such could not possibly be the case; that we must be mistaken. We assured them that it was the case, and that they really knew better; and they did know better. After staying there four or five days beyond our time, and finding that egress from the county was unsafe, if not utterly impossible, the sheriff issued a summons for a posse of five hundred armed men, with four days' rations, and at the head of that body of men we were going to march out of that county. When the older citizens found such was to be the programme, they immediately came to us, and begged, for God's sake, that we should not call out such a posse, saying that their young men would not stand it; that war would take place right away at once. They said: "Ask any means for your safety, and you shall have it." Thereupon, we selected ten of the oldest and best citizens as hostages. They promised to be there early the next morning, and to accompany us in the form of hostages, and as an escort out of the county. I desire to make one point right here. When these arrangements were made for this company of gentlemen to go with us, it was stipulated that the road the party should take the next day, should not be selected upon the preceding evening, but that the road should be decided upon after the party left town. Early the next morning the escort of old citizens arrived; with one or two exceptions they were all well armed, one with a double-barreled shot-gun. After proceeding three or four miles out of town, the party halted, and our escort, or hostages, (because there were more of us than of them,) determined upon the road we should take. There were three roads leading eastward to Quincy, the nearest railroad depot, fifty miles from Marianna; that was our route.

By Mr. LANSING:

Question. How did you travel?

Answer. In carriages. They decided upon their own route, and instead of taking us over any one of those roads eastward, in our direction, they took us northward, or a little northeast, over an unfrequented road, and brought us to Bainbridge, Georgia, thinking that, as they knew the country and all the circumstances, that was the safest route. We were then just as far away from Tallahassee as when we were in Marianna, and were also in another State. I was then acting in the capacity of United States assessor, was there on official business as well as on personal business, and the other gentleman who was with me was then a member of Congress. The same feeling, the same threats, were directed toward him as toward me, and the same calamity would have overtaken him as myself. These are the reasons why I am not to-day living in Marianna.

By the CHAIRMAN:

Question. Have you been back there since that time?

Answer. I have not been there since August, 1870. I was in charge of that portion of the country there—of six of those counties—as an agent of the Freedmen's Bureau. It was a lawless country then; murders were taking place constantly. While I have no data right at hand now, I remember a conversation I had in the spring of 1868 with the sheriff of Jackson County. He was a conservative or a democratic sheriff. I remember well our conversation. In talking about a murder that had taken place a few days before, he said that was the sixtieth murder that had taken place in that county since the surrender.

Question. How many have occurred since that conversation?

Answer. Well, a great many; I have no particular data, but I could mention a good many. There seems to have been at least twenty or twenty-five, and all of our prominent political men—our best men.

Question. You spoke of the killing of Doctor Finlayson: you have mentioned that you were returning from a concert with him when he was killed. What were the circumstances under which that occurred?

Answer. Dr. Finlayson was a native of the place, and was a very prominent man in politics. He favored the reconstruction of the State, and was clerk of the circuit court, or the prothonotary. He was murdered under the circumstance I narrated a moment ago. A few days afterward another of our prominent men, a colored man, was badly wounded while unhitching his horse, after returning from town about sundown.

Question. What was his name?

Answer. Richard Pooser; he was one of our prominent colored speakers.

Question. What time of the night was Dr. Finlayson killed?

Answer. Between 10 and 11 o'clock.

Question. How many shots were fired?

Answer. It is difficult to say. It was done with a shot-gun, a gun loaded with buck-shot. There may have been one or two barrels fired. We were walking arm in arm; I was a little taller than he was, and one discharge may have hit both of us.

Question. Could you tell from where the shot came?

Answer. From behind a tree.

Question. Do you suppose the shot was aimed at you or at him, or at both of you?

Answer. At both of us; because many threats were made constantly during those days against prominent republicans.

Question. What was the character of the threats?

Answer. They said that they were incendiaries, and that they ought to be killed; that they set the colored people against the white people, stirring up the country; that they were damned Yankees, damned radicals, and should be killed like dogs.

Question. Who were the people that made those threats; what sort of people were they?

Answer. The chivalry; that does not cover it exactly, however. It was not the poorer people by any means, but the better sort of people, mostly the young men.

Question. What do you mean by the better sort of people?

Answer. I mean those contradistinguished from the poorer class—from those known as "crackers." Probably this feeling prevailed more among the young men, and not among the very old citizens, nor among the greatest property-holders.

Question. Did the older citizens, the men of property, do anything to discourage or discountenance that feeling?

Answer. They did not, and there was the great bane of the country. The older citizens, the property-holders, were under intimidation, as some of the better men there have told me. They were afraid to come out and stop this lawless, boisterous, and chivalrous element, who then controlled public opinion and public action. That has been expressed to me very often by the older and more responsible class of citizens.

By Mr. LANSING:

Question. What was the politics of that better class?

Answer. They were once whigs; some of them were Union men during the war, but when reconstruction took place, they ranged themselves among the democracy, in the general opposition to reconstruction.

By the CHAIRMAN:

Question. What was the political standing of the men who were killed?

Answer. They were republicans; and generally men who were prominent in some capacity or other in the reconstruction of the State.

Question. You have spoken of the firing upon Colonel McClellan and his daughter, and some other persons at the hotel. By whom was that supposed to have been done?

Answer. As Colonel McClellan and Mr. Coker were of the fire-brand democracy there, and were, I believe, secret leaders in all these lawless movements, instigators, at least—I do not mean leaders in the movements themselves—as they were attacked, the inference would be that it came that time from the opposite party, or from some persons of opposite political proclivities; that would be the inference.

Question. Were you there at the time?

Answer. No, sir.

Question. Was that the charge on the other side?

Answer. Yes, sir; it was.

Question. It was charged by the democrats?

Answer. Yes, sir.

Question. How long did that occur after the firing into the party of people going to the picnic?

Answer. A day or two afterward. To recur back to the murder of Dr. Finlayson, and the wounding of Richard Pooser. Immediately after the murder of Finlayson, there seems to have been a breaking out of the first lawlessness there; three or four were killed, and a half a dozen wounded, whose names I have forgotten, within a few weeks thereafter. Now, come on down later: The sheriff of Jackson County, Thomas M. West, expressed to me several times the opinion that he was unable to execute the law there, or to feel himself safe as an officer of the law; that the public sentiment was so strongly and dangerously in opposition to him as sheriff of that county that he did not feel safe to go outside of the town and serve any legal process whatever. He was assaulted in the streets there by a party, and very severely and dangerously beaten. His life was also constantly threatened, as he many a time told me. Finding himself thus helpless, he resigned the office of sheriff in the latter part of March, 1871. In his letter of resignation to the governor, which I read, he states the reason to be that he could not be sheriff and execute legal process in that county with any safety to himself, as there was so much turbulence and lawlessness there, and so many threats were made against the officers of the law. Those were his reasons for resigning.

Question. What was his political standing?

Answer. He was a republican. A few days after his resignation, John Q. Dickinson, who was clerk of the court, was murdered one night, about 10 o'clock, while proceeding from his office to his house. Strange to say, he was killed within about ten steps of where his predecessor, Dr. Finlayson, was killed. He was the most prominent republican in Jackson County, or in West Florida; he was a great republican leader; indeed the only one in Jackson County. Threats, both public and private, had been made against him for years. He was often advised by friends, as well as by anonymous letters, for God's sake to leave there, or he would certainly be killed; but he remained at his post until he was murdered. We have a reputed republican governor in this State; he has the appointing power, and appoints all county officers except constables. The officers in Jackson County before were always of a republican character, with one or two exceptions among the county commissioners. After the resignation of the sheriff, and the murder of the clerk, the democratic citizens met and dictated to the governor the appointment of certain democrats, and he made those appointments.

Question. What has been the condition of things there since?

Answer. The condition of things from the beginning has been that not a single one of these murderers has been arrested and brought to trial; not one of them, although the most of them are well known. Some of them have fled the country, or are secreted about there, while others are still there and well known, and believed to be the murderers. If the grand juries could be brought to find true bills, they could do it upon the evidence which would be presented to them; but they are in fear, and cannot be brought to do it. Petit juries would not convict these murderers, because of the general sentiment, which justifies these proceedings. Up to this present time not an arrest or a trial has taken place in that county.

Question. For the killing of these parties you have been speaking of?

Answer. Yes, sir.

Question. How many homicides do you suppose have occurred in that county since the war?

Answer. Taking the statement of the sheriff to be correct, in the conversation to which I have referred, and keeping within a probable estimate of what has occurred since that time, I should say there must have been at least seventy-five or eighty murders in that county since the war.

Question. How many were colored, and how many were white?

Answer. There must have been nine-tenths of them colored, or at least eight-tenths.

Question. What was the character generally of the colored men who were killed?

Answer. Prominent men among their race. Another prominent man named Calvin Rogers was killed a few weeks after that riot took place. He was our constable there. The character of the men who were killed, or the most of them, was good; they were neither thieves nor vagabonds, and they were our best colored men both in intelligence and industry; they belonged to that class.

Question. Were they influential and prominent in their political relations?

Answer. They were locally prominent.

Question. Have you any reason to suppose there was an organization in that county out of which these homicides, or any considerable number of them, originated?

Answer. Yes, sir; I have every reason to believe that such was the case.

Question. How has it been in other counties besides Jackson?

Answer. There is a county adjoining, Calhoun County, which is a part of the same region of country in which Judge Carraway, a judge of the county court, who was also one of the registrars under the reconstruction laws, and Mr. Yearty, who, I think, was also one of the registrars, both prominent republicans, were killed. Judge Carraway was murdered probably a year and a half ago; James W. Yearty, who was sheriff and

a member of the legislature, was murdered five or six months ago. That is the county adjoining Jackson County.

Question. Have there been other homicides in that county?

Answer. Not that I know of particularly; not among prominent men.

Question. How has it been in Hamilton County?

Answer. There have been some whippings and scourgings there, but I am not much acquainted in that county.

Question. How with Columbia County?

Answer. That has also a very lawless reputation; but I am not acquainted with the particulars of what has occurred there.

Question. Is it your impression and belief that this organization of which you speak extends beyond Jackson County, and into other portions of the State?

Answer. Yes, sir; I believe that it extends over the State.

Question. In your opinion, what is the object of that organization?

Answer. Judging from the demonstrations that are made, the object must be the extirpation of the prominent republicans and Union men in this country, for the purpose of seizing hold of the State government and State offices. In other words, the object is the murder of the leaders of the republican party in the State, and the intimidation of other republicans, and in that way to obtain possession and control of the State government.

Question. So as to enable the minority to rule the majority?

Answer. Yes, sir; because on a square, fair vote we have a *bona fide* majority in this State.

By Mr. BAYARD :

Question. When did you first come to Florida?

Answer. I came here in 1866.

Question. Where from?

Answer. From Washington City.

Question. What offices did you hold when you first came here?

Answer. I was in the Bureau.

Question. You mean the Freedmen's Bureau?

Answer. Yes, sir.

Question. Agent of that Bureau for what portion of the State?

Answer. First for Jackson County, and subsequently for five or six counties.

Question. How long did you continue in that capacity?

Answer. For about two years.

Question. What office did you then take?

Answer. I was then elected a member of the constitutional convention of this State, and was afterward elected to the State senate.

Question. You assisted in framing the constitution of this State?

Answer. Yes, sir.

Question. And you were then elected to the State senate?

Answer. Yes, sir.

Question. Your term as State senator has not yet expired?

Answer. No, sir; I was appointed county judge, but resigned that place, and was elected to the senate.

Question. To what judgeship were you appointed?

Answer. I was elected to the State senate; I was appointed secretary of state, and then resigned that position; I was then appointed county judge, and resigned that place; and was then re-elected to the State senate.

Question. By whom were you appointed to those offices?

Answer. By the governor of the State.

Question. By Governor Reed?

Answer. Yes, sir.

Question. As I recollect your testimony, you seemed to have some doubt of his being a republican governor; you spoke of him as being a "reputed republican." Was he elected by the republican party?

Answer. Yes, sir.

Question. And you have been the recipient of office at his hands?

Answer. Not wholly at his hands.

Question. Do you hold any other office now than that of State senator?

Answer. I am United States internal revenue assessor for the State.

Question. Of the entire State?

Answer. Yes, sir; it composes one district.

Question. Now, in regard to the origin of this anarchal condition of Jackson County which you have described, I have understood you to say that a picnic was held by the colored people?

Answer. That was in September; the troubles first commenced with the murder of Dr. Finlayson.

Question. When was that?

Answer. In February, 1869, and the picnic was in the September following.

Question. Where did the firing on the people who were to hold the picnic take place?

Answer. On their way to the picnic.

Question. Who were killed by that firing?

Answer. A little boy and a colored man.

Question. Who were the persons who fired?

Answer. That was very hard to say. They had their suspicions, and almost direct proof. They were white men.

Question. How many men fired on them?

Answer. It was supposed that two of them fired.

Question. Were the colored people there in great crowds?

Answer. I should suppose there must have been quite a party of them.

Question. How many were in the picnic?

Answer. Maybe fifty, or one hundred; I do not know how many.

Question. They were fired on by two white men, with the results you have stated?

Answer. Yes, sir.

Question. You say that two days after that time some gentlemen were sitting in the gallery of a house in the town of Marianna?

Answer. On the hotel piazza.

Question. Who were they?

Answer. J. P. Coker, C. F. McClellan, Miss McClellan, and probably some more, for aught I know.

Question. At what time of the day was it?

Answer. It was said to be in the dusk of the evening, or after dark.

Question. What was the age of Miss McClellan?

Answer. She may have been eighteen or twenty.

Question. A young lady?

Answer. Yes, sir.

Question. Was her father a man of prominence there?

Answer. He was a lawyer, and a man of bad eminence as an agitator and instigator.

Question. Was he so held among his own people with whom he associated—with the native people of Florida, the white people?

Answer. He was considered a peculiar sort of man, a man of boisterous, rugged, harsh ways and manners, not a peaceable man at all.

Question. Was he beloved by his friends and by the community; by those of his own color and race?

Answer. No, sir; I do not think he was.

Question. Was he or not a man of standing in the community?

Answer. He was a practicing attorney there. To give you an idea of the man: He came originally from Kentucky. He was a large man, a man of huge proportions, and called himself a "Kentucky war-horse."

Question. What other men were with him?

Answer. The other man, Mr. Coker, is a bad man.

Question. What is his occupation?

Answer. It is that of a merchant, a general ring-leader of badness. I give it as my opinion, founded upon pretty good evidence, that he is the generalissimo of Ku-Klux there; he is so considered in the whole country.

Question. Those people were sitting on the piazza of the hotel at the time you speak of?

Answer. Yes, sir.

Question. Did the young lady also share your ill opinion?

Answer. No, sir; she must have been a very fine young lady; there is no doubt about that.

Question. She was shot?

Answer. She was killed.

Question. Do you know by whom?

Answer. I do not.

Question. Have you any reason to suppose or know that she was killed as a retaliation in any way for the firing upon the parties going to the picnic?

Answer. I have no reason to know that at all.

Question. From that the excitement you have described proceeded?

Answer. Yes, sir; taking that and the other murders a day or two before.

Question. When you used the term "chivalry," you use it as a term of contempt, do you not?

Answer. No, sir. I used it to describe a certain class of men, a pistol-and-bowie-knife class of men.

Question. You mean to speak sneeringly of them?

Answer. It is a designation to be applied to a certain class of men in this country.

Question. I merely ask you in regard to the tone in which you used the term.

Answer. I do not know in regard to the tone; I speak of a certain class of men.

Question. You intended to show your dislike and contempt of them ?

Answer. No, sir ; it is a term they use themselves ; it is a local designation used among themselves.

Question. I merely wish to get an understanding of the meaning you attach to the term "chivalry ;" and also to the term "fire-brand democracy," which you used ; I only want to get at your meaning.

Answer. I applied it to a certain class of people in this country. There is a certain class of men who may be termed "fire-brands" naturally, and who politically belong to the democracy ; I used the two terms together.

Question. You say that these people met and dictated certain appointments to the governor ?

Answer. I there spoke of the results of their action ; when the governor accepts recommendations of men after such proceedings, it certainly must be a cowering before dictation. I am responsible for my own words there.

Question. I take it you are responsible for all your words ?

Answer. I mean that that is my construction of that proceeding.

Question. Was the form of this dictation to which you have testified different from the ordinary recommendation of parties to office ?

Answer. I do not know that it was different from the general recommendation to office.

Question. Are you conscious that you are speaking under very great excitement and prejudice against these people ?

Answer. Well, I hope not.

Question. Are you conscious of that feeling ?

Answer. I try to be perfectly conscious of what I am saying.

Question. You are not aware that to an ordinary bystander your testimony would indicate such a feeling on your part ?

Answer. No, sir ; I probably speak the truth in an emphatic manner, but I know whereof I speak. Allow me to say this, Mr. Senator, that two years ago I introduced a resolution into the legislature here in favor of universal amnesty. I advocated the passage of that resolution. It passed through the legislature, and I stand by it now, as I have stood ever since. I really am not prejudiced against these people.

Question. My reason for saying what I did, is that you have often, in your statements of what was intended, instead of what actually occurred, made statements which, I think, indicated the feeling influencing you at this time. You spoke of men riding up to a house, and looking at it, and then you spoke of what they heard or saw, and of what their impressions were. It occurred to me that you probably gave your testimony as you would wish it to be.

Answer. I give my testimony here with a great deal of latitude, not as I would do in court ; I am not undergoing here a technical examination, as I would in a court ; I am taking a latitude here because you permit me to take it.

Question. That is evident.

Answer. You permit me to do so.

By Mr. LANSING :

Question. You mean, however, to confine yourself to the rules of evidence ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. You are aiming to give a historical account of certain transactions ?

Answer. Yes, sir.

By Mr. BAYARD :

Question. You may call it a historical account, but I would ask you if you are not giving suppositions, rather than statements of facts ?

Answer. No ; I am speaking of facts.

Question. You spoke of some ten or twelve old men going with you as hostages. Do you mean by that they went out to answer with their lives for any assault upon you ?

Answer. No, sir ; I will explain what I mean, Mr. Senator. There were fifteen of us, and ten of them, and had we been attacked, and had it become necessary to go, spiritually speaking, into the land of Canaan, every one of those men would have gone with us.

Question. You would have murdered those old men ?

Answer. We would not have gone alone ; we would have done what it is said Indians have done under certain circumstances. We have heard of Indians, who, when pursued, would interpose the women and children they may have kidnapped between the guns of their enemies and themselves. Had we been pursued in that way, we would have made a bulwark of those hostages.

Question. Did those old men go out with the understanding that you would get behind them in case bullets were fired at you, or that you were to take their lives if pressed hard ?

Answer. No, sir.

Question. What, then, do you mean by what you have said?

Answer. They came with us to give us protection; we relied upon them, and it was good for them that they did give us protection. Supposing they had dealt treacherously with us, we would have used them for our own self-preservation.

Question. You intended to use them for your preservation anyhow?

Answer. Of course we did.

Question. You took those men out for that purpose?

Answer. They went with us to give us protection, and we were bound that they should be a protection to us.

Question. And you would have taken their lives to save yours?

Answer. We would have taken their lives before we lost our own.

Question. Would you have taken their lives if people had attacked you?

Answer. We would have taken their lives to protect our own.

Question. When you used the word "hostages" you knew what the word meant?

Answer. Yes, sir; they probably called themselves an escort; we probably called them hostages all the while.

Question. Did you say so to them before they started?

Answer. I suppose so; we merely looked at things from different standpoints.

Question. My question was whether they went with you to insure your safety?

Answer. Yes, sir, and they nobly did it; but if they had shown treachery, or if they had shown a disposition not to give us protection, we would have used them for protection.

Question. That was the contract under which they went out, except, you say, they took one view of it and you took another? The long and short of the story was that you arrived safely at Tallahassee?

Answer. Yes, sir; but they took us out of Florida.

Question. You wanted to get out of Marianna?

Answer. We wanted to get to Quincy, and they concluded it was the best policy to take us to Georgia.

Question. They treated you in good faith?

Answer. Yes, sir, and when we got there we treated them gloriously to champagne.

Question. Forgetting your kind intentions while on the road?

Answer. We had no intentions, except as might have come up on the spur of the moment.

Question. What is the population of Jackson County?

Answer. They have a voting population there of about 2,000; at a rough estimate there may be a population of 8,000 or 10,000 people there.

Question. And the negro vote is largely preponderating?

Answer. Yes, sir.

Question. How many negro voters to one white voter?

Answer. In a fair election there, I think there would be but few less than 1,400 black voters and 500 or 600 white voters.

Question. Nearly three to one?

Answer. Two to one, I should say.

Question. How large a town is Marianna?

Answer. It is scattered; there may be 500 or 600 inhabitants; there was a time when it had more.

Question. How many white republicans are there in the county?

Answer. There were about sixty or seventy white republicans there then.

Question. That was two years ago?

Answer. That was in 1868.

Question. How many are there now?

Answer. I judge there are none, for the last one has been killed. Colonel Dickinson was killed last April, and the others there had to drop their faith. I might mention a little instance here.

Question. Pardon me. You say Mr. Dickinson was the last one killed; then there are no more there to be killed?

Answer. I am afraid that between the killing and the fright, by the operation of those two causes, there are no more white republicans there; that is, no more outspoken republicans.

Question. Do you think any white republicans voted there at the last election?

Answer. I do not think there were any.

By the CHAIRMAN:

Question. You were proceeding to make a statement?

Answer. The son of our late member of the legislature, Mr. McMillan, was fired upon and shot through the face as he was taking a drink out of a bucket of water. The inference is that the shot was intended for the old gentleman. That took place five or six months ago. All that is discouraging to the white republicans there.

By Mr. BAYARD:

Question. You have spoken of these men who have committed these assassinations and murders, and said that not one of them has been brought to trial at any time in that county. Is it because they have gone out of the county, escaped from the State, "gone to Texas," as you say men were in the habit of going so readily, when they had blankets and overcoats tied to their saddles?

Answer. Most of them have gone out of the county. Undoubtedly there are some there, and many of them could have been arrested.

Question. Do you know their names?

Answer. I would not like to testify to the names of any whom I would want to stigmatize here as murderers, though I am morally certain of it. Do you want to know why they have not been arrested?

Question. Yes, I want to know; and the reason is this: the machinery of this State government has been in the hands of members of your party. Now, why is it that, having the State bound hand and foot, under the control of your partisans, so far as office is concerned, your officials have not done their duty?

Answer. That is not the construction that should be put upon it. If the people, by general sentiment, to say nothing about conspiracy, are opposed to a certain government and all its officials, and combine knowingly or instinctively, as it were, to harass that government, and throw all impediments in its way, it is a very easy thing for murderers to escape, and for the officers of the law to be prevented from pursuing; it is a very easy thing to give all aid, countenance, and assistance to those murderers, just as is the case there. There are men right there now who I am morally certain are some of those who shot me and have shot others. Those men can get money and have the use of good horses, while they may be here this evening, to-morrow morning they go thirty miles away. There is a kind of Free-Masonry that exists among a certain class of men, and they will assist each other. That is so in every-day life, and it shows itself in the grand and petit juries every time they are called upon to act.

Question. You have stated as a fact that you have a majority of the people in this State in your favor at the polls; you have stated as a fact that you have the whole machinery of the State government entirely in your hands. Now, is it possible that if there had been proper diligence, capacity, and honesty in your official circles there would not have been at least more attempts to arrest these people, and would they not have been at least driven from the State, if not arrested and punished?

Answer. Let me illustrate, if you please, Mr. Senator. Colonel Dickinson, who was a political character, and one of the best men who ever breathed the breath of life, intellectually and morally, when these men were out there, was prevented by the people *en masse* from holding inquests over the dead bodies. The good old citizens, who could only advise and counsel, told him not to attempt to do so. That officer of the law was prevented from executing his sworn duty. He could not get anybody to serve on that inquest, and the people there dared him to hold it.

Question. That is the case, with a voting population of three to one in your favor, and with all the officers on your side?

Answer. Very well; now take the conspiracy that exists among the most intelligent class of the people.

Question. What conspiracy do you refer to; give it some specific name?

Answer. You might call it Ku-Kluxism; I suppose that is it. It is an organization that undoubtedly extends all over the State and throughout the State. Those men will combine to prevent the arrest of any man; they will spirit him away or protect and conceal him and make it dangerous for officers of the law to attempt to arrest him. It is not that the officers of the law have not made exertions to arrest these men, for they have done so; but the men get away, or if they do stand their trial, as they have done in different portions of the State, and any one of these men is on the jury, he will hang the jury, and you cannot convict any of them.

Question. Have you a knowledge of any man who belongs to any such organization?

Answer. No; I have no personal knowledge of it.

Question. How can you state more than mere opinion upon that subject?

Answer. Well, I might state it as my opinion that it is the spring of the year, because I see the leaves springing from the trees and the vegetation springing from the earth. I might give it you as my opinion, based upon facts, as they show themselves about me, that it is the spring of the year. In the same way I give it as my opinion that there is such an organization, and I base it upon facts as they show themselves to me. They may call themselves Invisible Empire, Ku-Klux, or anything else they choose, but they are a combination.

Question. Your simile is perhaps sound, and perhaps not.

Answer. It may be.

Question. About the facts of which you spoke. You say the evidence of spring is a matter of fact. Now, do you say, as a matter of fact, that there is a combination of these men? Have you seen them come and go, and do you know that there is such an organization?

Answer. I have seen them in their works, and I have felt them myself.

Question. Describe what you mean by "their works."

Answer. Their works are the murdering, scourging, whipping, and intimidating of a certain class of political men, and it all comes from the opposite class.

Question. Upon what individuals will you fix that? A murder having been committed; whom would you arrest for it, if you had autocratic power?

Answer. Where I am intimately acquainted, I would make no mystery in making the arrest; I can only speak for Jackson County. I would not arrest the man who did the deed so soon as I would arrest the man who instigated it. It is my opinion that there are men who sit down and decree the murder of this or that man; and then they have their tools, who go out and execute that decree.

Question. Have you any knowledge of any such case, and of the facts attending it?

Answer. My knowledge comes from what I have seen; I judge of the cause from the effects which I see produced.

Question. Can you state to this committee the facts upon which such a statement as that is based, and give the names and the cases?

Answer. Mr. Senator, you know as well as I do, with all respect, that there are two ways of arriving at a conclusion logically.

Question. It is your knowledge I want to get at, not your opinion.

Answer. I can only judge from the effect.

Question. Can you give the facts?

Answer. I can give the effects.

Question. I am asking you about the causes, about the facts of which you speak.

Answer. I do not speak of causes; I do not see the causes; they call themselves the Invisible Empire, and they are not to be seen.

Question. You have stated as a fact that murder is instigated by one, while it is performed by another; and you have said, and very properly, that the man who instigates a murder is worse than the man who is bought or frightened into committing it. I ask you whether you can give a case in which the facts will bear out your process of reasoning.

Answer. I can, right here.

Question. Will you state the case?

Answer. While I will mention no names, because it is not proper for me to testify to names, I will say that Dr. Finlayson and myself were men who had no personal enemies. There is no man out there who could stand up and say to either of us that we had ever injured him, insulted him, or done him wrong. We were shot; we had the proof, just as direct and plain as could be, in regard to the men who did it. One was a man, a hanger-on about town, a kind of factotum, who was in the employ of these very sort of men. He was an indigent man himself, who sported his broadcloth; he had no visible means of support, but was admitted into the social circle of such men as Coker, McClellan, and those of that class. That man and another man, who was —

Question. Do you believe they gave him money to pay his personal expenses, and kept him in that condition?

Answer. He had no visible means of support.

Question. Do you believe they gave him money?

Answer. Not those men I have mentioned; I said he associated with them. The other man was a farmer, a man of desperate character; one of those loose, mysterious kind of farmers that we have there. There are a certain class of people in this country who farm for several days, and then they are away from home for several days and nights; he was that kind of man. Both of those men we only knew when we saw them, and they only knew us in the same way; we never had any intercourse with them at all. Yet, as certain as I sit here, those men shot us, and there is proof enough to convict them before any jury. I will give you a little proof right here; or, if you do not want it, it makes no difference. One of those men is there yet, is round about there to-day; he is received into the same circle of society; he is, in every sense of the word, protected. That was a put-up job; there is no doubt of it. Why, sir, it was bruited all over the country there for a year before I was shot that there was \$1,600 in gold on deposit there for any man who would kill Purman, for no other reason than that I had taken a prominent part in reconstruction; that was bruited all over the country. I do not say that was the fact, but that was the statement there made, and it must have had its effect. Many a poor devil would say, "I would kill him for \$1,600." You wanted to know, Mr. Senator, how I know these things. Right there, let me say that I am morally certain of it; and yet that one man is right there to-day. Public sentiment centered on him as the man, and he was away for about six months. Then the democratic paper there came out and lauded him, and prepared the way for his coming back, and he is there again to-day; and he could not be convicted in that country. If you were to hear the evidence we have against him, you would say that any jury in the world would convict him.

Question. Pardon me for saying that I have seen no proof of a conspiracy to kill you.

Answer. Here are two men who attacked us, who have no personal connection with

us, and who must be acting as the tools of somebody else. Would they murder us from pure pleasure, if they were not instigated by a power behind them, by a reward, or hope of reward?

Question. Have you any facts going to show that those men you suspect have been rewarded in any way?

Answer. I have no facts to show that; I merely used that as an illustration to show that murders take place from no personal motives at all, and for no personal reason. They seem to be done in pursuance of some secret, mysterious fiat—by some parties who are probably strangers to their victims.

Question. My object is to see, so far as I can, that guilty men are punished in every case that can be named or thought of. At the same time I should like to know who they were first, and I should not like that innocent men should suffer with the guilty, or that suspicion merely should take the place of proof. That is why I have asked for facts, because the character of your testimony has been generally to charge the community with these crimes. I want you to put the guilt where it belongs, and acquit those who are not chargeable with it.

Answer. I would not want to charge the whole community with these things; I think there are a great many of them in this conspiracy; there is no doubt about that. Let me tell you one thing I did, Mr. Senator, in order that I may remove the impression that you may probably be getting from my evidence. We were shot on a Friday night. On Saturday night, at about 12 o'clock, when I was lying there at the point of death, a committee of a dozen, perhaps more, black men came into my house. They were armed to the teeth, and said that they had there six or eight hundred men around the town, and that they were going to come in and sack the town that night, on account of the murder of their friends. Senator Bayard, right there I begged of those men, when I could scarcely speak, for God's sake not to do any such thing. They have confidence enough in me to come and tell me these things, for the colored people have great confidence in their friends. The colored people are superstitious. I talked to those men, and made them hold up their right hands and swear to me to go and call off their friends and return home. I did that to save the white people who were there. Had I not done it there would have been a terrible calamity right at that time. I did it, and yet I knew that those very men whose lives I was sparing by probably that last act of mine would doubtless take the very first opportunity to kill me if they could.

Question. Then there is this condition of affairs in Florida that the safety of a town will depend upon the kindness and sense of justice and propriety of a few leaders?

Answer. That is not the general fact. I merely tell you this in order to prevent you getting a wrong impression in regard to myself.

Question. Do not understand that any question I ask you is with any disrespect to you personally.

Answer. There is no telling what those people would have done; that I prevented them from doing that I think there is no doubt. Probably they never would do it again.

Question. The white people are pretty well aware of that fact?

Answer. Of what fact?

Question. That there was that gathering around the town at that time.

Answer. Yes, sir.

Question. The black people let them understand it?

Answer. I do not know that they did, but they knew it, and for awhile they were very grateful to me. But afterwards they called it cowardice, and said that I was afraid to open the ball. Probably if you were out there they would not do me justice, as those men could not do justice to anybody. But I would do it again, for it is no more than humane and Christian.

Question. That was the condition of the feelings of the black people at that time on that subject?

Answer. Yes, sir.

By the CHAIRMAN:

Question. I understand you to say that this occurrence, when you interposed between the citizens there and the indignation of the colored people because of the killing of their friend, Dr. Finlayson, was before the attack on the colored picnic?

Answer. Yes, sir, about six or seven months before.

Question. What was the date of the killing of Mr. Dickinson?

Answer. I am not certain now whether it was the 31st of last March, or the 3d day of last April.

Question. Had anything occurred immediately preceding his death; had he done anything to arouse anew their indignation towards him?

Answer. No, sir, except that he was a general eye-sore there to them because he was the last plank that held together the republican party there in that county, and they knew it.

Question. How did the people there treat his remains after he was dead?

Answer. Well, I do not know about that; he was buried——

Question. Are you sure he was buried there, or were his remains brought here?

Answer. He was buried there, and his remains were afterwards brought away by his friends.

Question. So far as you know, what was the last homicide that occurred in that county?

Answer. The murder of Dickinson was the last among our prominent men.

Question. There has been no one killed there since?

Answer. No, sir, because they have killed off everybody there is any opposition to on their part. I have a good conservative friend here, a democratic friend, in this city, who comes from Jackson County, and who was there when I was there. He received a letter from a democratic friend of his out there, after the murder of Dickinson. He told me in a laughing, happy, rejoicing way, "Well, Dick writes to me from Jackson County that they have things in their own way there now; that there is not a damned nigger that dares to speak in Jackson County; that Purman dare not go back again; and they are going to have peace and prosperity there; that Dickinson was the last leader among the republicans there, and he being away, there were no more damned niggers to make speeches; no more white republicans dare go there; and they are going to have a perfect elysium now."

Question. How has it been with regard to whippings and scourgings there; have there been any of them going on?

Answer. No, sir, they make clean work of it in Jackson County; they believe there in gunpowder entirely; they do not resort to these trifling things.

Question. You mean that they have generally inflicted death, or attempted to do so?

Answer. Yes, sir.

By Mr. BAYARD:

Question. This letter of which you speak, and which you have quoted so emphatically just now—were the contents of it given to you jocularly by this gentleman here; and when you say he is your good friend are you speaking jocularly?

Answer. No, sir, he is a good friend; he spoke of it as a good thing.

Question. Did he do so jocularly or earnestly?

Answer. It was more in a spirit of rejoicing, more from a feeling of happiness that such was the case.

Question. It was not spoken as a matter of friendly confidence, but as a matter of rejoicing?

Answer. No, sir, it was not spoken in confidence; I do not violate any confidence.

Question. He spoke of it as a matter of fact, as stating to you a fact?

Answer. Yes, sir, and I believe he got the letter.

JACKSONVILLE, FLORIDA, November 11, 1871.

FRANK MYERS sworn and examined.

By the CHAIRMAN:

Question. What is your age, where were you born, where do you now live, and what is your present occupation?

Answer. I am about thirty-three years old; I was born in South Carolina, and I now live in Columbia County, Florida; I have been acting as the traveling agent of the Florida Courier this year; at present I am not connected with it.

Question. How long have you been living in Columbia County?

Answer. About two years.

Question. Where did you live before that time?

Answer. In Alachua and Hernando Counties.

Question. I wish you would tell us what you know of any political organization in either of those counties.

Answer. Well, sir, in 1868, when I was living in Alachua County, I joined a democratic club that was being organized at that time; and a short time after I joined it, a proposition was made to me to join what they termed a secret-service club; as I expected to leave the county in a few days, and move into Hernando County, I did not join the secret-service club, as they called it; since that time I have been in Alachua County repeatedly, and in conversation with several of those parties I have been informed that such an organization was completed.

Question. What did you understand was the object of that secret-service club?

Answer. The object of the secret-service club, as explained to me at that time by the party who spoke to me about it, was, in case it became necessary, as they feared it would, to use force or violence to prevent certain parties from exerting too great an influence with the colored population in that county, to be prepared to do it effectually and secretly.

Question. What kind of effectual method did you understand they were to use?

Answer. I can only infer what they meant by the language they used; I am repeating the substance of it now, as it was explained to me.

Question. When it became necessary to prevent any one from obtaining undue influence, they wanted to be prepared to do it effectually and secretly?

Answer. Yes, sir.

Question. Is that the organization, as you understand it, that is commonly and popularly known as the Ku-Klux?

Answer. I think so; I take it to be the same.

Question. Have you ever seen the constitution of the order?

Answer. I have.

Question. Can you produce a copy of it?

Answer. I have a copy which was given to me at that time. [Producing a manuscript pamphlet, as follows:]

"The Constitution of the Young Men's Democratic Club of [here put name and county, State.]

"SECTION 1. This organization shall be known and hailed as the Young Men's Democratic Club of _____, county of _____, State of _____.

"SECTION 2. The officers of the club shall consist of a president, two vice-presidents, (first and second,) a recording and a corresponding secretary, and one treasurer.

"SECTION 3. There shall be an executive committee consisting of five discreet, active, energetic members.

"SECTION 4. All the officers shall be elected by ballot; but by a vote of two-thirds of the members present at any regular meeting, the ballot may be waived, and the election proceed *viva voce*.

"SECTION 5. The president shall preside at all meetings, or, in his absence, one of the vice-presidents. In the absence of the president and both vice-presidents the club may elect a chairman *pro tem*.

"SECTION 6. The president, vice-presidents and executive committee shall constitute a committee of observation and safety, of which the president shall be chairman.

"SECTION 7. All matters pertaining to such service shall be referred to this committee of observation and safety, and the names and duties of the secret-service committee shall be known only to the said committee and their various chiefs.

"SECTION 8. There shall be appointed by the president a finance committee, whose duty it shall be to provide ways and means.

"SECTION 9. Funds raised for campaign purposes shall be disbursed under the direction of the committee of observation and safety, or by the central assistant chiefs.

"SECTION 10. No one shall be admitted to membership in this organization without the indorsement of the two members on presentation of the applicant, and five negative votes shall reject an applicant.

"SECTION 11. Each member shall, on admission to this club, subscribe the following oath:

"In the presence of Almighty God and these gentlemen, I do hereby solemnly pledge my sacred honor that I will conform to all rules and regulations, by-laws and edicts, that may be legitimately adopted by the organization; that I will always conceal and never divulge any proceedings of this club improper to be made public; that I will always recognize and never divulge the words or signs of recognition and distress that may hereafter be confided to me; and that should I ever hear the hailing word of distress, or see the sign given, I will instantly respond in person thereto, and render all the assistance in my power to the member speaking the word or giving the sign: So help me God.

"This obligation shall be administered by the presiding officer, who shall previously have explained the object of the Young Men's Democratic Club.

"SECTION 12. It shall be the duty of the committee of O. and S. to divide the white voters and disfranchised citizens of the county into sections of fifties, which shall be numbered, and to appoint, or cause to be appointed, a chief for each fifty.

"SECTION 13. It shall be the duty of the committee of O. and S. to lay off and bound the territorial limits of the fifties, and to instruct the respective chiefs in all their duties.

"SECTION 14. It shall be the duty of the chiefs, immediately on receiving their appointments, to divide their respective fifties into tens, and lay off and bound their territorial limits, and to appoint a leader for each party of ten.

"SECTION 15. It shall be the further duty of the chiefs of fifties to instruct and require the chiefs of tens to ascertain, at the earliest practicable period, the name, place of residence, by whom employed, vocation, height, complexion, where registered, and political bias of every white and colored voter in their respective limits or territory; and, to accomplish this thoroughly, they will call to their assistance every member composing their tens.

"SECTION 16. It shall be the duty of leaders of tens to make a list, alphabetically

arranged, embracing the points required in article 15, and report the same to their respective chiefs, who shall consolidate the same, and report to the central chief herein-after provided for.

"SECTION 17. It shall be the duty of leaders and their tens to obey promptly all orders and instructions, proceeding from their respective chiefs, relating to the business or object of the organization; and it shall be their duty to mingle with the colored voters of their respective territorial limits sufficiently to learn their faces, and at the same time to educate them in the principles of the democratic party, and teach them their duty as citizens.

"SECTION 18. There shall be appointed by the Young Men's Democratic Club of _____ County a central chief, and two assistants, first and second.

"SECTION 19. It shall be the duty of the central chief and his assistants to superintend and command the whole organization, receive and consolidate reports from the chiefs of fifties, and prepare for press accurate rolls, setting forth points required in article 15, and cause the same to be printed.

"SECTION 20. In all matters pertaining to the duty of the chiefs and their section, and leaders and their tens, the orders and decisions of the central chief, with the advice and concurrence of his assistants, shall be final, until there shall be a district or State organization, when the appeal may be taken regularly to the central chief ranking.

"SECTION 21. It shall be the duty of every member of tens to respond to the call of their leaders, and the leaders of tens, when called or summoned, to obey promptly the call of their respective chiefs.

"SECTION 22. In further elections each leader of tens shall be furnished a roll of the voters of the county, shall attend the polls, under the direction of their respective chiefs, and shall keep with them a sufficient number of their men to challenge, identify, detect, and prevent fraudulent votes from being polled, and shall render what other service and assistance that may be demanded by the circumstances or the order of the central chief.

"SECTION 23. In addition to the duties hereinbefore set forth and required of the committee of O. and S., that committee shall have power and authority to employ an efficient secretary to assist in the preparation of the forms compiled, and consolidated rolls; conduct correspondence, and keep the books of the organization. Said secretary shall be the officer of the central chief, and shall be subject to the orders of that officer. He shall be paid for his services out of the funds to be raised by the club for that purpose.

"SECTION 24. It shall be the further duty of the committee of O. and S. to institute signs and signals to preserve the counsels, purposes, strength, and integrity of the organization; and shall create signs for communication and for assembling tens and fifties and the whole organization.

"SECTION 25. When a ten is assembled for any purpose, its leader shall preside and command; when a section is assembled the chief thereof shall preside and command; and when the whole organization is assembled the central chief shall preside and command; and when two or more tens or two or more sections are assembled rank shall be determined by members.

"SECTION 26. It shall be the duty of the chiefs of fifties to organize colored democratic clubs in their respective sections, and to afford such aid and assistance and counsel to said club as necessity and expediency may require.

"SECTION 27. Every member shall sign the constitution and contribute a small amount to defray the contingent expenses.

"SECTION 28. This constitution shall not be altered, amended, or abrogated except by a two-third vote of all the members present at any regular meeting, notice having been given in writing at least one week previous.

"S. W. Burnett, (1;) P. W. Scott, (2;) G. P. Thomas, (3;) James Beattie, (4;) P. H. Young, (5;) Frank Myers, (6;) W. P. Colclough, (7;) Wm. T. Richardson, (8;) J. J. Beattie, (9;) T. G. P. Thompson, (10;) S. I. Burnett, (11;) Geo. F. Beattie, (12;) S. J. Myers, (13;) T. W. McCaa, (14;) F. C. Johnson, (15;) Jno. H. Menzert, (16;) U. T. Menzert, (17;) S. F. Harvard, (18;) S. T. Fraser, (19;) Wm. Strickland, (20;) W. T. Abbott, (21;) S. C. Tucker, (22;) E. M. Thompson, (23;) C. Rain, sr., (24;) J. J. Kennard, (25;) J. D. Matheson, (26;) C. O. Bailey, (27;) C. Rain, jr., (28;) S. J. Kennard, (29;) Pat. Burke, (30;) H. C. Dozier, (31;) G. W. Wallington, (32;) T. B. Ellis, (33;) Thaddens Foster, (34;) W. H. Babcock, (35;) J. O. Malley, (36;) W. B. Ellis, (37;) L. C. Arledge, (38;) R. M. Dozier, (39;) J. F. Strickland, (40;) Isam Bennett, (41;) Oscar Wiggins, (42;) Warren Bryant, (43;) J. B. H. Swift, (44;) J. W. Perry, (45;) J. W. Jones, (46;) C. P. Crawford, (47;) Edmund Jones, (48;) A. A. Robinson, (49;) Wm. D. Edwards, (50;) Geo. M. Colman, (51;) I. I. Thompson, (52;)"

Question. The oath that is in this constitution is the oath of the order?

Answer. Of the democratic club; the other oaths are not committed to writing.

Question. The oaths in regard to the secret-service club?

Answer. Yes, sir.

Question. Did you ever have the oaths given to you?

Answer. Of the secret service?

Question. Yes.

Answer. Yes, sir.

Question. Can you repeat the oath?

Answer. I cannot repeat it exactly; it has been about two years since then, and I have thought very little of it since.

Question. Give the substance of it, as nearly as you can.

Answer. They were bound by oath to obey all orders or edicts coming to them from their chief, from the central chief of the county, or the central chief of the State; they were also sworn to remove, by any means possible, any obstacles in the way of the success of the party which they represented.

Question. Do you know a Mr. Birney?

Answer. I do; William H. Birney is his name, I think.

Question. Who is he?

Answer. He is the district attorney in the fifth judicial circuit of this State.

Question. Do you know of any attack having been made upon him?

Answer. Not of my own knowledge.

Question. Have you any reliable information about it?

Answer. Yes, sir; I have information that I deem reliable, that there was an attack made on him.

Question. Under what circumstances?

Answer. I would not pretend to relate the circumstances, because I do not recollect them sufficiently accurately to attempt to describe them.

Question. How long ago was that?

Answer. A little over a year ago.

Question. Have you any reason to believe that was done by members of this order?

Answer. Yes, sir.

Question. What leads you to think so?

Answer. I heard so from one of the parties himself. The party who related it to me told me that they would have captured him and killed him, but he suspected they were in pursuit of him and took another road, not the road he generally traveled on, and in that way he evaded them.

Question. Has there been a great deal of disorder in Columbia County?

Answer. I have heard a great deal said about disorder there, but of my own knowledge I cannot say there has been.

Question. You have not participated in it or witnessed it?

Answer. No, sir.

Question. Do you know anything about the hanging of a negro there last winter?

Answer. In Columbia County?

Question. Yes.

Answer. No, sir; there was one hung in Alachua County last winter.

Question. What was his name?

Answer. I never heard it.

Question. Have you reason to suppose that he was put to death by this same organization?

Answer. Yes, sir.

Question. What reason have you for thinking so?

Answer. I have it from the same party who told me of the affair with General Birney.

Question. You have said that, according to your understanding, this organization is what is commonly known in the community as the Ku-Klux?

Answer. I so regard it.

Question. Is it connected throughout the State?

Answer. About that I cannot say.

Question. How came you to have this book or pamphlet?

Answer. It was given to me; I joined the club, and my name is on the roll. I moved to Hernando County, and that book was given to me so that I could organize clubs in that county. I omitted to return the book; I laid it away among my papers, and overlooked it and never did return it.

Question. In what part of Florida is Hernando County?

Answer. It is in South Florida; it borders on the Gulf of Mexico. It was in that way that I became so well acquainted with the organization in organizing these clubs down there.

Question. Suppose that in these efforts to remove the obstacles to the success of the party that you spoke of, any member of the organization should get involved in difficulty, be overtaken by the law, or anything of that sort, what were the rest of them to do?

Answer. To supply him with the means to make his escape and get away.

Question. So far as you know, how numerous is the organization?

Answer. I do not know.

Question. Do you know who was at the head of it?

Answer. I do not; at that time I was told the State organization was not complete.

Question. Do you understand that it has been completed since?

Answer. Yes, sir; so I have been told; I do not know it to be so; I have had nothing to do with the club since 1869.

Question. Who were any of the officials known to you at that time?

Answer. When I was connected with it?

Question. Yes.

Answer. The central chief of the democratic club in Alachua County was named Doctor Dudley.

Question. What was his first name?

Answer. I do not know his first name; I have forgotten it.

Question. Did you attend the meetings of the club?

Answer. I did.

Question. Was it a pretty large organization?

Answer. The names of the members are on that roll; I think there are fifty-odd of them.

Question. Where were the meetings held?

Answer. There were two or three places where they held their meetings; the last meeting I attended was held over a drug store.

Question. Were they always held in some house?

Answer. Yes, sir; whenever I attended them.

Question. How numerous was what was called the secret-service club?

Answer. You will see there the provision that none but the heads of the secret service shall know who the members are.

By Mr. BAYARD:

Question. When did you sign this?

Answer. I signed it in November, 1868.

Question. Was this oath administered to you?

Answer. Yes, sir.

Question. And you took it?

Answer. I did.

Question. At that time you were acting with the democratic party?

Answer. I was.

Question. When did you cease to be a member of this association, or of the democratic party?

Answer. I have had nothing to do with these clubs since 1869.

Question. At what time.

Answer. In the spring of 1869.

Question. Was this given to you then?

Answer. It was given to me in 1868.

Question. How long prior to that had you become a member?

Answer. Only a few days; I removed to Hernando County a few days afterward.

Question. Did you attempt to organize any club like that?

Answer. Yes, sir; I organized two clubs under this constitution in Hernando County.

Question. Did you administer the oath to the parties there that you have given here?

Answer. I think I did.

Question. Who was it asked you to join this secret-service committee?

Answer. I would rather not answer that positively, though I think to the best of my recollection it was a man of the name of Young.

Question. I observe by this pamphlet that there is a secret-service club provided for, and that it is provided that "all matters pertaining to such service shall be referred to this committee of observation and safety, and the names and duties of the secret-service committee shall be known only to the said committee and their various chiefs." Were you ever a member of any of these committees?

Answer. Not there; no, sir.

Question. Have you any knowledge of this secret service?

Answer. I have it in this way: When I went to Hernando County this book was given to me, and I organized two clubs, and those two clubs constituted me their central chief for Hernando County. I then applied for instructions as regards the secret-service committee, and they were then given to me.

Question. Who gave them to you?

Answer. The instructions I received were communicated to me verbally.

Question. What were they?

Answer. I have repeated them as far as I can recollect.

Question. What were they?

Answer. To appoint a chief of the secret-service committee, which chief was to take the roll and select his own men. I did not know them; he organized them himself.

Question. What were their duties?

Answer. Only what I have related; they were sworn to obey any orders their chief gave them.

Question. Was there any disguise provided?

Answer. No, sir.

Question. Was there to be any disguise used?

Answer. Not that I know of.

Question. Were you held to perform any act illegal under the laws of the State?

Answer. I took it so; under the obligations that were administered to them, they were to obey any order coming to them.

Question. Whether legal or illegal?

Answer. Yes, sir.

Question. That was your understanding?

Answer. Yes, sir.

Question. That was the understanding of the party taking the oath?

Answer. That was my understanding.

Question. You say you never took that oath?

Answer. No, sir.

Question. And yet, while you never took it, the substance of it was given to you to communicate to others whom you were to appoint to this office?

Answer. Yes, sir.

Question. Have you any knowledge of any unlawful acts performed by these men?

Answer. I have not of my own knowledge.

Question. Do you know of any act contrary to the laws of the State of Florida or the laws of the United States that was performed by any member of this organization?

Answer. I only know what was told to me, as I have already stated; I know nothing of my own knowledge.

Question. Do you know of any acts of violence against individuals; any violations of the laws of Florida or of the United States proposed and executed, or proposed in your presence by these people, and which you subsequently learned were carried out?

Answer. No, sir.

Question. Have you any knowledge of such acts?

Answer. Not of my own knowledge.

Question. What was the attack on General Birney that you spoke of?

Answer. I do not know the particulars.

Question. Where did it occur?

Answer. In Gainesville.

Question. Were you there at the time?

Answer. No, sir.

Question. Where did you learn about it?

Answer. I have it from one of the parties who was concerned in the attack.

Question. Describe it as it was stated to you.

Answer. The part that impressed itself upon my mind was that after the attack was made and everything was quiet they pursued him——

Question. Was the attack made on him in broad day-light?

Answer. Yes, sir.

Question. Where did they pursue him?

Answer. He lived some miles from Gainesville.

Question. Was he seriously hurt?

Answer. I do not think he was touched or hurt.

Question. Do you mean that the assault upon him was in consequence of an order emanating from this committee?

Answer. I have no knowledge of that.

Question. Have you any knowledge that the assault upon him was committed in pursuance of an order from the committee on secret service?

Answer. I have not.

Question. Have you any knowledge of any other act being committed in pursuance of the order of this secret-service committee?

Answer. No, sir; I have not; it would be impossible for me to have any knowledge of that, because I have never been connected with it.

Question. You spoke of information?

Answer. My information was derived from one of the parties.

Question. Did he tell you that this assault was in consequence of any order?

Answer. No, sir.

Question. Then, have you any information or knowledge in any way that any act of violence was committed under the order of this secret service committee?

Answer. No, sir, I have not.

Question. From what, then, do you derive your belief that that obligation, as repeated to you, would have involved any person taking it in a breach of the laws of the State of Florida or of the United States?

Answer. He would not be bound to disobey the laws of Florida or of the United States, unless some orders were given to commit some violence.

Question. Would he be bound to commit an act under such an order which involved a breach of the laws of the country?

Answer. If he regarded the obligation as binding upon him, he would.

Question. Did you ever administer such an oath to anybody?

Answer. No, sir.

Question. You say it never was administered to you?

Answer. No, sir.

Question. The substance of it was repeated to you?

Answer. Yes, sir.

Question. Do you believe you have stated the substance of it with reasonable accuracy now?

Answer. I would not pretend to repeat it, because it has been so long that a great deal of it has escaped my memory.

Question. Was this oath that they would obey the orders of this person, or all lawful orders emanating from this center?

Answer. All orders.

Question. Without exception?

Answer. All orders or edicts was about the way it was worded.

Question. And, so far as your knowledge goes, no acts of violence have been committed under those orders that you know of?

Answer. Not of my own knowledge.

Question. Go further than that. Have you information of acts being committed in consequence of these orders?

Answer. No, sir; I have not.

Question. There have been a great many cases of outrage, murder, and things of that sort committed in this State. Have you any information of a credible character to the effect that such acts followed from orders emanating from any of these secret committees?

Answer. There were two negroes hung in Hernando County, in February, 1869, I think. It was the common report there, and, in fact, the thing was so plain that everybody acknowledged that they believed it to be true, that it was done by what were recognized as Ku-Klux. They were taken from a guard and hung.

Question. What had they been doing?

Answer. They were both implicated in killing a boy.

Question. They were in the custody of the sheriff at that time?

Answer. Yes, sir; the case was undergoing an investigation.

Question. Do you mean to say that the taking of those men out of the hands of the sheriff, and putting them to death, was in consequence of an order from one of these secret committees?

Answer. I do not know about the order.

Question. That is what I want to get at.

Answer. That I cannot tell you, because you can see from the obligation itself that no one can know where the orders come from, excepting those interested; I would have no means of knowing whether they received an order or not.

Question. You would have means of information, such as the telling of that man who made the attack on Birney?

Answer. Yes, sir; he told me about their pursuing him, and their attack on him in Gainesville in open daylight; every one saw it; there was nothing concealed at all.

Question. What I want to get at is, whether these attacks were in consequence of orders from these secret bodies.

Answer. You cannot get that information from me, because I have no means of knowing it.

Question. Do you hold any office in this State now?

Answer. No, sir; I do not.

Question. Have you ever held any?

Answer. I was county commissioner for a short time once; and I have always voted the democratic ticket all my life.

Question. Do you continue your relations to that party the same?

Answer. To the democratic party?

Question. Yes.

Answer. No, sir; I cannot say that I do.

Question. When did you leave it?

Answer. I have not affiliated with that party or attended any of its club meetings, or anything of that sort, since the spring of 1869, though in the last election I voted the democratic ticket.

Question. Have you reason to believe that these clubs are now in existence?

Answer. I cannot say I have reason to believe it, except from common report.

Question. What became of the clubs you yourself organized?

Answer. I do not know; I have not been in those counties for two years.

Question. Are there any in the county that you live in?

Answer. There were several there last fall, so I was told; I never visited them.

Question. You never went there after you organized this committee?

Answer. No, sir.

Question. Have you ever gone back and claimed membership in the county where this one originated?

Answer. No, sir; I do not know that that is in operation now.

Question. These clubs were formed in each county; did they provide for a central club in the State?

Answer. No, sir; the organization was not complete when I was connected with it.

Question. Do you know whether it has been completed since?

Answer. No, sir, I do not, except from hearsay.

Question. Were the members referred to in that county the names signed here?

Answer. No, sir; that was only one club.

Question. How many were there in that county?

Answer. I do not recollect, but I think there were about a half a dozen in the county; I am not positive about that.

Question. When were you summoned before this committee?

Answer. Day before yesterday.

Question. By whom?

Answer. I think that Doctor Johnson served the subpoena on me.

Question. To whom did you state your knowledge of this democratic club?

Answer. I think I told him something about it; my recollection is that I told him something about it.

Question. Told whom?

Answer. Doctor Johnson.

Question. Who is he?

Answer. E. G. Johnson, State senator from Columbia County.

Question. You were connected with the Florida Courier as traveling agent?

Answer. I was.

Question. What are the politics of that paper?

Answer. Democratic.

Question. You are not connected with it now?

Answer. No, sir.

Question. In whose hand-writing is this pamphlet or book?

Answer. I cannot tell; I do not know; I do not recollect.

Question. You wrote that constitution out in other books when you formed other clubs under it?

Answer. I did not write it out myself; I had a clerk to write it; it was copied from this book. [Looking at the book.] I think P. H. Young wrote this.

Question. Who is he?

Answer. He is a lawyer in Gainesville, Alachua County.

By the CHAIRMAN:

Question. Have I understood you correctly as saying that a part of the secret service obligation was to go to any place and remove any obstacle in the way of the success of the democratic party?

Answer. That is my recollection of it.

Question. You spoke of a negro having been hung in Alachua County; what was the information you received in regard to his hanging?

Answer. As to who hung him?

Question. Yes, and what he was hung for.

Answer. I have no idea who the parties were who were engaged in it—that is, their names. I do not know any more than you do who these secret service men are. I was told by several parties down there that it was done by this committee.

Question. The secret service committee?

Answer. Yes, sir.

Question. Were you told by men who were members of the order?

Answer. They were members of the democratic club.

Question. But who they were who did it, or whether any order was issued, you do not know?

Answer. No, sir.

By Mr. BAYARD:

Question. When was that hanging in Alachua County?

Answer. I think it was in last December; it was last winter some time.

By the CHAIRMAN:

Question. I believe you have told us what was the object of this secret service committee as explained to you?

Answer. I have.

Question. How many of these clubs were there in Alachua County?

Answer. I am not positive; I think, though, there were about a half a dozen of them.

Question. How many clubs in each county?

Answer. I do not know.

Question. Did they have a name for each club?

Answer. Yes, sir, I think they did; you see the by-laws provide for that.

Question. You say they were there in Columbia County last fall?

Answer. Yes, sir, I was told so; I did not visit them at all; I had nothing to do with their clubs.

Question. I see this constitution contemplates signs and pass-words; what were the signs?

Answer. I do not recollect; it has been so long, and I have paid so little attention to it since, that I could not repeat them.

Question. I infer from reading this constitution that the signs were liable to be changed?

Answer. I think it was just being organized here at that time.

Question. How long had it been in existence before you joined it?

Answer. I was one of the first who signed the constitution.

Question. Was this one of the first clubs?

Answer. I think this was the first club in that county.

Question. Do you know in what part of the State it originated?

Answer. I do not.

Question. Or where the constitution was derived from?

Answer. No, sir.

JACKSONVILLE, FLORIDA,
November 11, 1871.

E. H. STRINGFELLOW sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now live, and what is your occupation.

Answer. I am thirty-six years old. I was born in Chester, South Carolina, and I now live between twenty and twenty-five miles from Lake City, in Columbia County, in this State. I am a farmer by occupation.

Question. Have you had any organization of people in your county that are commonly called Ku-Klux?

Answer. Not to my knowledge.

Question. Have you any reliable information of any such organization anywhere in the county?

Answer. I have heard of some whipping that was done in the country that I suppose would be claimed to have been done by an organization of that kind, though whether it was or not I cannot say positively.

Question. How many persons have you known to be whipped?

Answer. I have heard of two cases, though I am not sure that but one of them was whipped; he was Mr. Bob Forson.

Question. Was he a white man?

Answer. Yes, sir.

Question. How long since he was whipped?

Answer. I think it was last year; I am not sure; I have forgotten the exact time, but if it was not last year, it was the early part of this year. I think it was last fall.

Question. You spoke of another case about which you are not certain. Who was he?

Answer. He was a colored man. He denies having been whipped.

Question. What is his name?

Answer. I have forgotten his name. I can tell where he lives; he lives about twenty miles from Lake City.

Question. How did you get the impression that he had been whipped?

Answer. It was a rumor I heard in the country.

Question. Do you know Forson?

Answer. No, sir; I never have seen him; I live in the extreme southern part of the county, and never have had any business over in the part where he lives, and never have seen him.

Question. Have you been at elections in that county?

Answer. I have been at two elections in Florida.

Question. Where?

Answer. Both at Lake City. The first was when the military were here, when Judge Knight ran for the State senate, I believe. The second was last fall, when Mr. Johnson ran for the senate.

Question. When did you first hear of these people that they call Ku-Klux?

Answer. I have been hearing of them for two or three years; I have forgotten when I did first hear of them; it has been two years ago.

Question. What are they understood to be for?

Answer. That is a thing I never could learn; I never found out; I never heard any one say.

Question. I believe you do not go out after night?

Answer. No, sir; I never go out after night, unless I have some one to lead me, except right around my place.

Question. Of course, you never would see them?

Answer. No, sir; I cannot see after night at all.

Question. You have never been disturbed yourself?

Answer. Not in the least.

Question. You have stated the substance of what you know?

Answer. Yes, sir; I do not remember any other whipping except the two cases I spoke of.

Question. Have you heard of any people being killed in the county?

Answer. Yes, sir, one.

Question. Who was that?

Answer. Jim Green.

Question. Was he a white man or a colored man?

Answer. He was a colored man.

Question. Was that in your neighborhood?

Answer. It was several miles above me, some fifteen or sixteen miles.

Question. When was he killed?

Answer. That was two or three years ago; it was in 1868 or 1869; it must have been over two years ago, for they had it up in court there two years ago.

JACKSONVILLE, FLORIDA, November 13, 1871.

CHARLES H. PEARCE (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now live, and what official position, if any, you occupy.

Answer. I am in my fifty-first year; I was born on the eastern shore of Maryland, and I now reside in Tallahassee, in this State. I am a minister of the African Methodist Church near there, and a senator from that district in the State legislature.

Question. How long have you been in Florida?

Answer. Six years, this fall.

Question. Did you come here directly from Maryland?

Answer. No, sir; I came from Canada here.

Question. How long have you been connected with the African Methodist Church?

Answer. I have been connected with that Church thirty-eight years last June.

Question. How long have you been connected with it in this State?

Answer. I was always a member of that Church. I went to Canada as a missionary, and I came here to this State, six years ago, as a missionary of that same branch of the Church.

Question. During that time, have you had an opportunity to become acquainted with your people throughout the State?

Answer. I have, pretty extensively; my business has brought me in connection with pretty near all our people through the State.

Question. Our object is to ascertain how far the laws have proved in fact adequate for the protection of person and property in this State. I wish you would give any facts bearing upon that subject, especially in connection with your own people.

Answer. So far as laws are concerned, the laws of this State are as good as any man can ask, but I am sorry to say they have not been carried out in many instances; our people have had very little, if any, protection where these outrages exist.

Question. What instance can you give of failure to protect them from violence, or to redress their wrongs, when injured?

Answer. I think the best evidence I can give is the governor's own words. We had a convention last June of the ministers of this State; the governor was invited to attend, and we asked him in reference to the protection of the people of Jackson County, and other counties, where outrages were prevalent. He stated to us that his arms were paralyzed; that there was not power enough in the government to protect the loyal people of the counties where outrages existed. I have here in a pamphlet a resolution which grew out of the statement which he made.

The following are extracts from the published proceedings of the convention of ministers and laymen of the African Methodist Episcopal Church in Florida :

"Rev. C. H. Pearce offered the following :

"*Resolved*, That we, the ministers and laymen of the African Methodist Episcopal Church, in convention assembled, deeply deplore the troubles of our people in West Florida and other parts of the State, and hope that the time is not far distant when peace and good order shall prevail all over our land ; and

"*Resolved*, That prayer shall be made without ceasing for them.

* * * * * * *

"On motion, Governor Reed was requested to address the convention, which he did at length. After which Elder C. H. Pearce offered the following :

"Whereas the governor of the State of Florida has said that he could not protect the people of Jackson County : Therefore,

"*Resolved*, That it is the deliberate opinion of this convention that the colored people should move out of Jackson County forthwith.

"*Resolved further*, That we pledge ourselves to do all we can to secure them homes elsewhere."

These resolutions were adopted, and the last I have read grew out of the statement which the governor made.

Question. What troubles are referred to here, and what injuries have been inflicted that require redress ?

Answer. Our people were being shot everywhere ; wherever a man would come out prominently and take a decided stand, he was shot down. Men in that section of the country were not men at all, for they could not express their opinions perfectly, or if they did, they knew what would be the result.

Question. Do you refer to their opinions upon religious subjects or upon political subjects ?

Answer. On political subjects.

Question. How many such instances have come within your knowledge, and where did they occur ?

Answer. I cannot state exactly how many—quite a number of them, the most of them in Jackson County. Others occurred in La Fayette, Taylor, Hamilton, and Columbia Counties. I have a letter now which I received from one of our ministers, a few days ago, stating that he had to abandon his school, (he was teaching in the country,) because of some threats that had been made ; he had to abandon his school, and come into town.

Question. In what county was that ?

Answer. Columbia County.

Question. Have you communication with other clergymen of your Church ?

Answer. Yes, sir.

Question. Do you get information from them ?

Answer. Almost daily.

Question. What is the character of that information ?

Answer. It is in regard to the condition of things, the commission of outrages, &c. ; not so much recently as in the early part of the year. I have, I suppose, some forty or fifty letters that I cannot exhibit, because there are some private matters in them, and then the persons writing them charged me particularly not to make their names public, for as soon as that was done, they would be no more. I have quite a number of those letters. Rumors are coming in continually of the outrages committed there.

Question. What is the character of the outrages ; what form do they take ?

Answer. It is rather a political form, all the way through ; the whole persecution, I think, is upon political grounds.

Question. So far as you know, or have information that you rely upon, who are the parties engaged in committing these outrages ?

Answer. They do not give names particularly ; I do not know the parties engaged in them.

Question. You can tell whether they are white or black, whether they belong to one political party or the other ?

Answer. O, they are whites, and are supposed to be democrats ; in fact, they are democrats.

Question. To what political party do their victims belong who are made to suffer ?

Answer. They are invariably republicans ; we have nothing else here of any account among the colored people.

Question. So far as you know, in what way have they been mistreated ; what has been done to them ?

Answer. They have been threatened and whipped, and driven off their places. I know a number of men who had comfortable homes, who were taken out and whipped and had to abandon their homes. Some were shot and some were killed. One of their objects in writing to me was to get me to see the governor and inform him in reference

to their troubles, and see if some means could not be devised by which they could be protected. I have spoken to the governor a great many times about it. He has always expressed a willingness to do, but at the same time he has stated that he was not able to give them the protection that they wanted, and the protection that he was aware they stood in need of.

Question. Has he any militia that he can call to his aid?

Answer. He might have; he could get a militia force, I think; he has not now any militia that he could call to his assistance.

Question. He never has called out the militia?

Answer. He never has yet.

Question. Do you know anything about an attempt to procure arms for the defense of the State?

Answer. On the part of Governor Reed?

Question. Yes.

Answer. Well, yes, sir; soon after the inauguration of this government, he got a number of arms, and had them shipped to Tallahassee; part of them were destroyed.

Question. Where were they destroyed?

Answer. I think it was somewhere along between Lake City and Madison.

Question. Do you know how they were destroyed, or by whom?

Answer. I do not know by whom they were destroyed, but they were thrown off the train, and some were broken up, and a great many carried off.

Question. State whether you have reason to believe that there is a secret organization in this State out of which these acts of violence grow; and, if so, give your reason for that opinion.

Answer. It is my opinion that there is such an organization. I know nothing of it personally, but from the rumors of outrages that are daily going on, or that were going on in the State, I have reason to believe there was an organization. In fact, if there had not been an organization, and if some of the best citizens had not been in some way implicated in it, my opinion is that they could have put it down long ago. But from the fact that they have been allowed to go on, and none of them have been brought to justice, it seems to me that there must be an organization somewhere.

Question. Has there been any attempt on the part of what you call the best citizens, to suppress this violence and bring the offenders to justice?

Answer. I do not know of any. I had a long talk with Judge Bush, of Marianna; I told him that, in my opinion, he was equally guilty with these desperadoes; I told him that was my opinion and I gave him my reasons for that opinion; that is, that he was the leader of the people and an old citizen there, and if he was to frown upon these outrages a stop would very soon be put to them. That was my opinion, and it is my opinion yet.

Question. What did he say in response to that?

Answer. Of course he disclaimed any connection with them.

Question. Did he attempt to give any reason why these acts of violence were committed?

Answer. He seemed to think that they were committed by men from other States, a low class of men from Georgia and Alabama who came in there, not citizens from Jackson County.

Question. Did he explain how men from other States, strangers there, would come in and pick out the republicans without somebody to point them out to them?

Answer. No, sir; he did not explain that.

Question. But he thought they were people who came from Georgia and Alabama?

Answer. Yes, sir.

Question. You spoke about your people being driven off from their lands. Do you mean lands that they own, or lands that they rented?

Answer. Lands that they owned—their homesteads.

Question. Have they been attempting to become land-owners in this State?

Answer. Yes, sir.

Question. What is the feeling on the part of the former land-owners upon the subject of allowing colored people to have lands of their own?

Answer. In those large counties they talk very favorably; they say that every man ought to have a home. But in the small and sparsely settled counties they are very much opposed to their having lands and settling upon them. In the larger counties they talk very favorably of it; in fact, we have no trouble at all in those large counties. We have no trouble in a county like Leon; we are just as secure there as in the State of Massachusetts. It is in the other sparsely settled counties, away off from civilization, as I may say, where we have the most trouble.

Question. Leon County is the county in which Tallahassee, the capital of the State, is located?

Answer. Yes, sir.

Question. You say your people are fairly protected in that county?

Answer. Yes, sir; we get along very well.

Question. Do they have any trouble in getting homes if they have the means of procuring them?

Answer. They cannot get homes very well; the lands are owned by large land-owners, who are unwilling to sell their lands. There is no Government or State land of any account in Leon County; the lands are all taken up by the large land-holders.

Question. They are unwilling to sell?

Answer. Yes, sir.

Question. So far as you know, what is the feeling on the subject of the education of your people?

Answer. So far as I know, it is very good in Leon County, except in the upper part of the county. We sent a teacher to teach the colored school in the upper part of Leon County, next to Georgia, and they ran him off, and would not let him teach the school.

Question. Who was the teacher?

Answer. He was a man from the island of Nassau originally, by the name of Butler.

Question. Was he a colored man or a white man?

Answer. He was a white man.

Question. What objection had they to his teaching?

Answer. The only objection that they could have was, that he was teaching a colored school; he had to leave.

Question. Have any of your schools been broken up by the burning of the school-houses, or in any other way?

Answer. Not in that county.

Question. How has it been in other counties?

Answer. In other counties there has been something of that kind, but not lately.

Question. What is the feeling in the counties of Jackson, Hamilton, Columbia, and other counties in reference to education?

Answer. So far as I have been able to learn, the feeling is against the education of colored children.

Question. From your information, in which of those counties has the greatest number of acts of violence been committed?

Answer. In Jackson County.

Question. How many of your people do you suppose have been either killed or otherwise maltreated in that county?

Answer. Well, sir, I cannot tell exactly. If I was at home, or had charged my mind particularly with it, I might tell. There has been quite a large number.

Question. Ten would be a very large number?

Answer. It is more than ten; it is more than twenty; it is more than thirty.

Question. Some witnesses before us have estimated the number as high as seventy-five or eighty, white and colored.

Answer. Well, I should not wonder if that was correct; I have no doubt it is correct.

Question. The number has been very great?

Answer. Yes, sir.

Question. Do you know a gentleman by the name of Doctor Kreminger?

Answer. Yes, sir; he was the senator from the counties of La Fayette and Taylor.

Question. Where did he live?

Answer. He lived in a place called New Troy.

Question. In what county is that?

Answer. I think that is in Taylor County.

Question. State what befel him.

Answer. He was shot and killed.

Question. Where, and when, and by whom?

Answer. He was killed on his piazza; I do not exactly remember the date when he was killed, but it was not long since.

Question. During this present year?

Answer. Yes, sir; this fall. I received a letter from him about two weeks before he was shot, stating that his life was in danger, and that he had some notion of coming up to Tallahassee and staying there. The next thing I heard of him, he had been shot and killed.

Question. Have you that letter?

Answer. Not with me; I did not bring any letters with me, for I did not know what would be required of me here, but I have his letter at home.

Question. Have you given the substance of his letter, or did it relate to other things besides?

Answer. I have given the substance of it.

Question. If you have no objection to communicating that letter to the reporter, I would be glad to incorporate it in your testimony.

Answer. He simply stated to me in his letter that his life was in danger in that place. We had talked about it a great many times; he was an intimate friend of mine. He wrote me in his letter that his life was in danger; in fact, he wrote that his life was in

his hands ; that is the way he expressed it, and that he expected to come up to Tallahassee and stay awhile until, to use his own expression, the smoke cleared off a little ; that is about the substance of it.

Question. Did he state from what source he apprehended danger ?

Answer. He did not, except that he said the democrats were hostile to him.

Question. You have spoken of an organization which, in your opinion, exists in this State ; what is the popular name of that organization ?

Answer. We call it the Ku-Klux organization.

Question. Was that the organization that Doctor Kreminger apprehended danger from ?

Answer. Yes, sir.

Question. How long before he was killed was this letter written to you ?

Answer. About two weeks.

Question. Was he killed in the day-time or night-time ?

Answer. He was killed early in the morning.

Question. You say he was a member of the legislature ?

Answer. He has been a member of the legislature, but was defeated for re-election last fall. I think the bad feeling against him grew out of that contest last fall. He so stated to me several times.

Question. Have there been any threats made to intimidate colored people from exercising their political rights as voters ?

Answer. There have been.

Question. Of what character ?

Answer. Threats of violence, &c. Quite a number were arrested in Gadsden County and brought down last year and tried before the United States court, and some from Columbia County. In Jackson County they had everything all their own way.

Question. Have you ever seen any of what are called Ku-Klux notices ?

Answer. I have never had any served on me personally, but I have seen some that were sent to Mr. Gibbs, threatening him, the governor, and myself.

Question. Who is Mr. Gibbs ?

Answer. He is the secretary of state ; but they have never favored me with any such notices.

By Mr. BAYARD :

Question. You came to this State six years ago ?

Answer. Yes, sir.

Question. At the close of the war ?

Answer. Immediately afterward.

Question. From Canada ?

Answer. Yes, sir.

Question. As a missionary of your Church ?

Answer. Yes, sir.

Question. Do you hold any office in this State ?

Answer. I am a senator in the State legislature.

Question. When were you elected ?

Answer. I was re-elected last fall.

Question. You came here in 1865 ?

Answer. Yes, sir.

Question. What was your first political employment here ?

Answer. I was elected, in the first place, to the constitutional convention.

Question. You were a delegate to the constitutional convention ?

Answer. Yes, sir.

Question. In what year was that ?

Answer. In the year 1868, I think.

Question. You assisted in framing the constitution of this State ?

Answer. Yes, sir.

Question. And then you were elected to the State senate ?

Answer. Yes, sir.

Question. What district did you represent ?

Answer. The eighth district.

Question. What county ?

Answer. Leon County.

Question. That is the county in which Tallahassee is ?

Answer. Yes, sir.

Question. You have been re-elected to the State senate ?

Answer. Yes, sir ; last fall.

Question. What is the total vote in your county ?

Answer. Our vote there is a little over three thousand.

Question. Do you mean by "our vote" the colored vote ?

Answer. The republican vote.

Question. What is the opposite vote?

Answer. I do not know exactly what it is; it fluctuates; it is very small.

Question. How many do you outnumber them relatively; how many to one?

Answer. We outnumber them nearly four to one.

Question. Then you always have an easy victory at the polls?

Answer. Yes, sir.

Question. At this time, who are the representatives in the lower house?

Answer. Noah Graham, John Wallace, and John Wyatt.

Question. Who are colored and who are white?

Answer. They are all colored.

Question. The capital of the State is at Tallahassee?

Answer. Yes, sir.

Question. Does the governor reside there?

Answer. Yes, sir.

Question. You spoke of Mr. Gibbs, the secretary of state; is he a colored man?

Answer. Yes, sir.

Question. I observe in this report of the proceedings of your convention which you have produced here the name of Rev. Robert Meacham; is that Mr. Meacham the senator from the adjoining district?

Answer. Yes, sir.

Question. The same one who has been before this committee?

Answer. Yes, sir.

Question. Is he a clergyman?

Answer. Yes, sir.

Question. An ordained minister of the Gospel?

Answer. Yes, sir.

Question. Are all the names here of members of that convention the names of clergymen?

Answer. There are some laymen; the convention was composed of clergymen and laymen?

Question. I judge from the fact that you and Mr. Meacham are in the State senate that the clergymen of your church very frequently hold political offices?

Answer. Yes, sir.

Question. Is that a common thing?

Answer. In this State.

Question. Are you a bishop?

Answer. No, sir, my rank is that of an elder; they call me bishop sometimes.

Question. Are you commonly known by your people as Bishop Pearce?

Answer. Yes, sir; they gave me that name when I first came down here, and almost every person now calls me that; but that is not my title.

Question. Of the colored men in the legislature of the State, and in the constitutional convention, were a majority ministers of the Gospel?

Answer. No, sir.

Question. A great many of them were not?

Answer. Yes, sir.

Question. Is Mr. Gibbs, the secretary of state, a clergyman?

Answer. Yes, sir.

Question. Mr. Meacham, of the senate, is a clergyman?

Answer. Yes, sir.

Question. You are a clergyman?

Answer. Yes, sir.

Question. I observe that among the resolutions you adopted in that convention was this:

"Resolved, That politically our sympathies are with the republican party."

That was the unanimous declaration of your convention?

Answer. Yes, sir.

Question. Is it so with your people?

Answer. Yes, sir; they are a unit so far as that is concerned.

Question. Here is another resolution:

"Resolved, That our social sympathies are warmly towards those who help us in material and mental aggrandizement, by affording us willingly opportunities for the acquisition of this world's goods and of mental culture; and that our patronage rightfully belongs only to those who patronize us as far as occurs in the ordinary course of fair business."

Answer. That seems true.

Question. Then follow these resolutions:

"Resolved, That those steamers, railroad companies, merchants, and others who treat our people so disgracefully from sheer hatred, malice, and prejudice, are not worthy of our support, only as serves the interests of our people, and our people as much as pos-

sible should be advised to ship their produce, &c., and make their purchases by and from those who treat them fairest.

Resolved, That those newspapers which caricature us and allow us to be caricatured in their columns, and advertise us so liberally gratis, and those which are so ready to publish little differences among ourselves, which are often furnished by sneaking individuals in order to get up and foster wranglings among ourselves, should be beautifully let alone, and our people be advised constantly not to subscribe to them."

Those were the resolutions of your convention, and adopted unanimously?

Answer. Yes, sir.

Question. And such you hold to be the doctrines of your race throughout the State?

Answer. Yes, sir.

Question. In this way you associate your political creed with your religious duties and action in this State?

Answer. It is impossible to separate them here. A man in this State cannot do his whole duty as a minister except he looks out for the political interests of his people. They are like a ship out at sea, and they must have somebody to guide them; and it is natural that they should get their best informed men to lead them.

Question. Your people throughout the State are bound together as a unit, politically?

Answer. We may find one or two prodigals.

Question. So you deem them?

Answer. Yes, sir; some who have wandered from the fold. But the probability is that they will all come back.

Question. There are not many of them to come back.

Answer. Very few.

Question. There will be found means to bring them back. I observe a report, made by Mr. Osgood, on industrial and political interests; and I observe other reports here. Were they adopted unanimously?

Answer. Yes, sir.

Question. I observe Report A is as follows:

"[REPORT A.]

"Industrial and political interests.

"Your committee on the industrial and political interests of our people respectfully report as follows:

"Whereas labor is the basis of all wealth, and wealth is an absolute necessity of civilized society, and a peaceful condition of society, the security of life and property, a jealous regard for the rights of labor, are among the imperative duties of a well ordered government;

"Resolved by the convention of ministers and laymen of the African Methodist Episcopal Church in Florida, That we congratulate our people upon the rapid progress they have made in the past six years, and upon the increase of mixed industry, homesteads, and small farms in opposition to the ruinous plantation system, and consider those, together with the increase of school-houses and churches, and also the deposit of near three millions of dollars in the savings-banks, as a greater pledge of our progress to the friends of freedom throughout the world than can be found in the history of any people who sprang from as lowly a condition as ourselves; and we proudly point to these facts as a refutation of the slanders by our natural-born enemies, the democrats, that the freedmen do not work.

"A. B. OSGOOD, *Chairman*."

That was adopted by your convention?

Answer. Yes, sir.

Question. It contains your own sentiments on the subject?

Answer. Yes, sir.

Question. A report was made by yourself, as chairman of the committee on immigration. You state as follows in that report:

"Your committee also beg leave to report that we have learned that there are many thousands of acres of land belonging to the United States Government subject to entry under the homestead law of Congress at only the necessary cost of entry fees. Complaints are often heard that the Government does not fulfill the many promises made by its friends in the earlier days of the reconstruction, of giving away land to our people. These complaints are unfounded and foolish. There are fourteen millions of acres of Government land in this State, which the Government is willing, almost anxious, for our people to take up, make homes upon, and improve."

And you then go on and describe the land. That is all true, to your belief?

Answer. Yes, sir.

Question. And it was adopted by the convention to go forth to the people?

Answer. Yes, sir.

Question. You say it is impossible to separate your religious and political instructions, and therefore they are combined regularly to your people?

Answer. Yes, sir; that is necessarily the case.

Question. You spoke of a Doctor Kreminger, who you state had been murdered?

Answer. Yes, sir.

Question. In what county was that?

Answer. I think it was in Taylor County; it was either in Lafayette County or Taylor County.

Question. That was during the present year?

Answer. Yes, sir.

Question. Who was the man who killed him?

Answer. I do not know.

Question. You said a person had been indicted for that crime?

Answer. I understood that an indictment was found against a man who was supposed to have committed the murder.

Question. He has been indicted by the grand jury?

Answer. So I understood.

Question. Do you know whether he has been arrested?

Answer. I do not.

Question. You do not know who he is?

Answer. No, sir.

Question. Do you know whether he is black or white?

Answer. He is a white man.

Question. You know that he is a white man?

Answer. I do not know it; I was informed that he was a white man.

Question. That is all you know of him, and you do not know his name or anything about him?

Answer. No, sir.

Question. Was Doctor Kreminger a white or a colored man?

Answer. A white man.

Question. You were asked in regard to the power of the governor to raise a militia. Have you under your laws a militia system?

Answer. We have.

Question. Does not your constitution provide for it?

Answer. Yes, sir.

Question. You have laws for the organization of a system of militia in your State?

Answer. Yes, sir.

Question. It is therefore within the power of the State officials to organize that system into active operation if they desire to do so?

Answer. Yes, sir; it is in their power.

Question. Among your people have you societies known as Union Leagues?

Answer. Yes, sir.

Question. How long have they been in existence?

Answer. For some time.

Question. Be a little more specific.

Answer. Well, I do not know exactly how long; ever since the inauguration of this government.

Question. For the last three or four years?

Answer. Yes, sir.

Question. Are those Leagues local associations?

Answer. Not exactly.

Question. Describe to us the system of the Leagues.

Answer. I do not know that I can describe it exactly.

Question. You are a member of the League, and have been at the head of them?

Answer. No; I have had some connection with them.

Question. You are a leading man among your people here?

Answer. Yes, sir; of course.

Question. When they form within a circumscribed locality, within a county, for instance, a society or club, is not that the beginning?

Answer. Yes, sir.

Question. Does that extend through the county?

Answer. Not necessarily.

Question. Do your local societies and Leagues come into a general League throughout the State?

Answer. Come into a general League?

Question. The question is a very simple one.

Answer. I will answer any question I understand.

Question. I can do no more than put a question to a man who has answered as readily

as you have on other subjects. Of course, if you decline to answer, I have nothing more to say.

Answer. I do not decline to answer.

Question. The question has been put to you, and you can answer it.

Answer. I only want to have the question properly before my mind.

Question. Have you a State organization of the Union League?

Answer. We have.

Question. Who is the president of it?

Answer. The governor is president of it.

Question. Has he been so for some time?

Answer. Yes, sir.

Question. That extends to county societies and local societies?

Answer. Yes, sir.

Question. You have subdivisions throughout the State, centering in a State society, of which the governor of the State is the head; is that the fact?

Answer. It is only a society for the purpose of informing our people in reference to the political movements of the day.

Question. I do not propose to ask you in regard to its objects at this time; I shall do so shortly. I am asking you about its existence.

Answer. It does exist.

Question. And the minor societies are merged in a State society, of which the governor is the head?

Answer. Yes, sir.

Question. Are your people bound by oath at the time they become members of this organization?

Answer. Well, they pledge themselves to adhere to the rules of the organization.

Question. Are they not sworn in when they become members?

Answer. Well, I suppose you might call it swearing.

Question. Are there any persons admitted to their counsels but those who are members?

Answer. No, sir.

Question. Does it not, as a rule, embrace the colored population of the State?

Answer. Colored and white.

Question. I am speaking first of the colored population; we will come to the white presently.

Answer. Yes, sir.

Question. Have you a knowledge of the general condition of the League throughout the State?

Answer. Well, I have not now.

Question. How many white men in the State of Florida do you suppose are members of the Union League?

Answer. I cannot tell; I have no idea.

Question. Are they many or few?

Answer. We do not count noses, black or white; we take men.

Question. I am asking you a fact; men are white or colored, one of the two, although some of them are pretty well mixed. How many men of the white race are members of this organization?

Answer. I cannot tell.

Question. How many white men in your county vote the republican ticket?

Answer. Well, I really cannot tell how many in my county voted the republican ticket, or how many voted the democratic ticket, at the last election.

Question. You can tell pretty well if any black man votes the democratic ticket—the prodigals, as you term them—and which you say are so few that they are not worth counting; the democratic party is composed of white men?

Answer. The democrats had no ticket at the last election.

Question. None at all?

Answer. No, sir; they took what was termed a sore-head republican and tried to put him in.

Question. Who was he?

Answer. A man of the name of Page.

Question. Was he a white man?

Answer. He was a colored man.

Question. They ran him?

Answer. Yes, sir.

Question. How many voting places have you in Leon County?

Answer. We have seven.

Question. You spoke of the large counties of the State being generally safe and quiet for your people?

Answer. Yes, sir.

Question. The smaller counties are where the disorders exist?

Answer. As a general thing, all these crimes have been committed in the smaller counties, except in the case of Jackson County.

Question. Jackson County seems to be the chief seat of the disorder?

Answer. It is. There is where Satan has his seat; he reigns in Jackson County.

Question. How long has that been so?

Answer. For two or three years, and perhaps longer.

Question. Who are now the representatives of that county in the legislature?

Answer. I forget their names.

Question. Who is the senator from that county?

Answer. Major Purman.

Question. He was a Bureau agent?

Answer. Yes, sir.

Question. Who are the members of the lower house?

Answer. I forget their names.

Question. How many are they?

Answer. Two.

Question. Are they white or colored?

Answer. There is only one colored man, and there are two white men; one of the white men was elected by the republicans, and they expected him of course to stand up to republican principles. During the legislature some question came up in which republicans were particularly interested—

Question. As a party?

Answer. Yes, sir; and he was afraid to vote with us, and finally resigned and went home. He told me he could not stay there except that he voted with the democrats, for if he voted with the republicans and went home he would not live long after he got there. He finally resigned in the middle of the session and went home.

Question. How many votes do the colored people give in that county; more than the white people?

Answer. I was told by Mr. Hall, who took the census, that they outnumbered them five to one.

Question. And therefore they are represented by men elected by the majority?

Answer. Yes, sir.

Question. The representatives are all republicans from that county?

Answer. No, sir; there was one democrat.

Question. How was he chosen?

Answer. By the people.

Question. With five to one against him? Who ran against him?

Answer. A man by the name of Jesse Robinson.

Question. Was he a colored man?

Answer. Yes, sir.

Question. Did you know him?

Answer. I think the democrat had one majority.

Question. This white man must have been elected by votes of your people?

Answer. Yes, sir; he claims so.

Question. Is your race in the majority throughout the State?

Answer. No, sir; I think not.

Question. How do you stand?

Answer. Pretty nearly even.

Question. As many blacks as there are whites?

Answer. Very nearly; there is very little difference any way.

By the CHAIRMAN:

Question. I understand you to say that, as a general thing, if not a universal rule, your people are republicans, and go with the republican party?

Answer. Yes, sir.

Question. Why is that?

Answer. Because they think it is no more than right that they should favor the party that favored them. They look upon their liberty as the greatest privilege that could have been granted to them, and they think that privilege was brought about through the instrumentality of the republican party. Hence it is no more than natural to suppose that they would stand by that party and support it.

Question. How do they regard the democratic party in its relations to them?

Answer. They regard the democratic party as hostile to them; that is the general feeling.

Question. Reference has been made to some resolutions that were adopted by your convention of ministers. In one of the resolutions which has been read you spoke of having no intercourse, no correspondence, no business relations with certain parties. Why is that; because of their opinions, or because of their treatment of your people?

Answer. Both; because of their opinions, and in many cases because of their treatment.

Question. Suppose that men treated you fairly and justly, and accorded to you your rights as you conceived you should have them, what would be the corresponding action of your people toward them, irrespective of any opinions they might entertain, either concerning politics, religion, or anything else?

Answer. If they were to concede to our people all their rights, and our people could be convinced of that fact; if they could create a confidence in our people in regard to that fact, I think it would change the matter materially.

Question. In the personal intercourse of men, one with another, have those employers who have dealt fairly and justly with their hands experienced any trouble or inconvenience, so far as you know?

Answer. Not in a single instance that I know of.

Question. Any troubles and difficulties between the employer and employed that you may know of are fairly traceable to unjust treatment?

Answer. Yes, sir.

Question. Dishonest practices?

Answer. Yes, sir.

Question. You have been asked about the indictment of the party charged with killing Doctor Kreminger; has there been any person punished by the law for the outrages upon your people that you referred to in the previous part of your testimony?

Answer. Not one; they stalk abroad in our land without being molested.

Question. You spoke of Mr. Gibbs, secretary of state. I wish you would look at an article in the paper I hand you—the Lake City Herald—and tell us whether he is the same person whose name is attached to that article. I do this for the purpose of getting on this record his estimate of Mr. Dickinson, and also to inquire further whether you know Mr. Dickinson, and whether that is a fair and just estimate of his character as you understood it.

[The article is as follows:

“DICKINSON, THE MARTYR—A SUGGESTION.

“TALLAHASSEE, FLORIDA, October 29, 1871.

“EDITOR LAKE CITY HERALD: The United States Government has assigned two places in the Hall of Statuary to each State for two of its most distinguished citizens. I propose that the legislature, at its next session, take the proper steps to fill one of these places with a life-size statue of Hon. J. Q. Dickinson, the martyr, saint, hero, who was slain in the defense of the reconstruction laws of Congress, April 3, 1871, in Marianna.

“That Mr. Dickinson was a man of unblemished character, fine culture, and scholarly taste, a patriot and gentleman, none doubt who knew him, or had any business relation with him, that were capable of appreciating manhood, or had the slightest instinct of what constitutes a perfect gentleman.

“There are many in this State who are ever ready to cherish and preserve the memory of those whose unselfish devotion to justice, truth, and humanity has stamped its impress upon the laws, customs, and habits of this eventful period in the history of of American civilization; men who have attested the sincerity of their consecration to free government, to constitutional liberty, by their steadfast endurance of persecution in its meanest and most bitter form, and with manly courage protested against the insults and indignities that have been inflicted upon a long-suffering, harmless people; and finally, with their own life-blood, baptized anew those heaven-born principles of truth and justice which exalt the Fatherhood of God and the brotherhood of man.

“Such was J. Q. Dickinson. He has acted his part nobly in the grandest tragedy of modern times; and may the right legacy of his pure life and patriotic devotion to liberty furnish us with stronger incentives to work for the stability of law and order, equal government, and broader considerations of those eternal principles of truth and justice that underlie our duties as citizens, incite us to a higher and loftier devotion for the progress and glory of our common country.

“Yours, for even-handed justice,

“JOHNATHAN C. GIBBS.”]

Answer. This is Mr. Gibbs's letter, and that is a fair and true estimate of the character of Mr. Dickinson, as I understand it.

Question. You knew him?

Answer. Yes, sir; he was a very excellent man. I knew him as a personal acquaintance.

Question. When was the election in Jackson County that resulted in the election of a democrat by one vote?

Answer. Last November.

Question. How did the vote then polled compare with the vote previously polled?

Answer. I really cannot say, but the republican vote was greatly decreased; I cannot say exactly what the number was.

Question. Was the vote on both sides decreased?

Answer. No, sir; the vote on the democratic side was increased, and the vote on the republican side was decreased.

Question. How much?

Answer. I cannot give the decrease exactly; but the democratic vote was increased considerably, and the vote on the republican side was decreased considerably.

Question. Was the increase on the democratic side as great as the decrease on the republican side?

Answer. No, sir; not quite.

Question. What is the reason for the decrease of the republican vote in that county?

Answer. A great many have told me that they were afraid to go to the polls and vote.

Question. What had made them afraid?

Answer. Threats and intimidation that if they voted and voted in a certain way, to use their own vulgar expression there, they would put their light out.

Question. What was the gentleman's name who resigned his seat in the legislature?

Answer. I think his name was Barcroft.

Question. He told you that he was afraid to vote his sentiments in the legislature, for fear that his life would be imperiled if he should do so?

Answer. Yes, sir. I had a conversation with him several times; his seat was adjoining mine, and he wanted to vote with us, but he said he was afraid.

Question. Are any leading prominent members of the republican party still living in Jackson County?

Answer. No, sir; they have picked them all off; all the leading prominent republicans there have either been shot by some person or driven away.

Question. You have been asked in regard to the Union League, and I understand you to say that Governor Reed is president of it in this State?

Answer. Yes, sir.

Question. It is a republican organization?

Answer. Yes, sir.

Question. Its existence has never been denied?

Answer. No, sir; not by those who belong to it, that I know of.

Question. It is a matter that is open and known publicly in the community?

Answer. That such an organization exists, yes, sir.

Question. Of course there are no persons members of it unless they claim to be republicans?

Answer. That is so.

Question. No others I suppose want to join it?

Answer. No, sir; I suppose not.

Question. I suppose if any democrats desired to connect themselves with the republican party there would be no objection to it?

Answer. Not a particle.

Question. The more you could get the better you would like it?

Answer. Yes, sir. I think they will all come home after awhile. The young democracy will certainly come home, but the old fossils will have to die out. The young men who have a future before them I think are about ready to give up the ship.

Question. State whether you find among the younger men, the men of progress, the men whose outlook is in the future, many whose sentiments are softening down towards the colored people and the republicans.

Answer. Yes, sir; I know a young man who is a democrat, a perfect gentleman—Mr. Henderson, a senator from Hillsborough County; he is frank to acknowledge that the old democracy has got them by the throat, and that they must get loose or die. He is a perfect gentleman in every respect; a man that I respect very much.

Question. Do you find a difference between the men who had what is called in political phrase a record before the war and those who had not, who have come forward since the war?

Answer. Yes, sir; a material difference.

JACKSONVILLE, FLORIDA, November 13, 1871.

REBECCA U. KREMINGER sworn and examined.

By the CHAIRMAN

Question. Please state your age, where you were born, and where you now reside.

Answer. I am forty-one years old. I was born in Darlington district, South Carolina, and I now reside in New Troy, Lafayette County, in this State.

Question. Are you the widow of the late Doctor Kreminger?

Answer. Yes, sir.

Question. What was his full name?

Answer. John Newton Kreminger.

Question. Where did he live, and what was his nativity?

Answer. He was raised in Cabarras County, North Carolina.

Question. Was he a native of North Carolina?

Answer. Yes, sir; but he graduated in South Carolina.

Question. At Columbia?

Answer. Yes, sir.

Question. How long have you been living in New Troy?

Answer. Six years the 1st day of December coming.

Question. Where did you come from to Florida?

Answer. I came from South Carolina. My husband was in the United States service, and wrote me that he thought he would be mustered out, and asked me to meet him in Jacksonville. When I got here he was not mustered out of the service.

Question. What position did he hold in the service?

Answer. He was commissary sergeant.

Question. In what regiment.

Answer. I do not recollect; I have letters at home, and if I could look at them I could tell you.

Question. Do you know where he enlisted?

Answer. I think he enlisted in Mississippi. A greater portion of those men in Lafayette County were in service with him.

Question. How had he found his way to Mississippi?

Answer. He was drafted in Carolina to go into the confederate service, but he said he would never fight against the United States. He crossed the line as soon as he could get a chance and went over. There were three years I never put my eyes on him. I did not see him until the year after the surrender, when I came here.

Question. He was drafted into the rebel army and sent to Mississippi?

Answer. Yes, sir, and there he left.

Question. What was your husband's age?

Answer. He was fifty-three years old on the 16th day of September last.

Question. Were those men in Lafayette County who were in service with him southern men like himself, who had gone into the Federal service?

Answer. Yes, sir, they were southern men who had gone with him.

Question. By southern men I mean men of southern birth?

Answer. Yes, sir, I understand you.

Question. At what time was he mustered out of the service?

Answer. I cannot tell the date exactly. He was mustered out in Tallahassee. He came back to Monticello, and the next day we moved to where we have been living. It was two days from the time we started from Tallahassee until we got to Lafayette County. We got to New Troy about the 1st day of December.

Question. Do you remember what year?

Answer. It was six years next December.

Question. He is spoken of as Doctor Kreminger?

Answer. Yes, sir.

Question. Was he a physician by profession?

Answer. Yes, sir.

Question. Had he been practicing before the war?

Answer. Yes, sir. He never practiced much; in his family and around among his neighbors.

Question. How soon after he went to New Troy did he engage in politics?

Answer. It was right straight—as soon as he got there. Union men came after him to go into political affairs; they said they knew if he did not help them they were gone up in that county.

Question. To what office did they elect him?

Answer. He went to the legislature, and he was the county judge when he was killed.

Question. Do you remember whether he was in the convention that formed the constitution?

Answer. Yes, sir, he was.

Question. Will you now please give us an account of his being killed, when it was, where it was, and by whom?

Answer. Well, it was the morning of the 5th day of October.

Question. Last October?

Answer. Yes, sir. I reckon the sun was half an hour high. He had just walked into the piazza and washed his hands and face, and had sat down as he usually did every morning after walking out. A few moments after he sat down I heard a gun fired, and I heard him holler; he hollered three times. I ran to him, and just as I got to my room door I saw him rise up and fall over on his face. I went to him and turned him over. He tried to speak but could not.

Question. He was sitting down when he received his shot ?

Answer. Yes, sir ; in a chair with his hand up playing with his watch chain, and one of his fingers was shot off ; and he was shot in the breast.

Question. Shot with a single ball ?

Answer. Yes, sir ; a rifle ball.

Question. Who was the man who shot him.

Answer. J. C. Poncher.

Question. Who was he ?

Answer. I cannot tell you ; I have known him ever since I have been in this State ; he has boarded awhile at my house, but he is a very secret man and does not express his opinions much in talking. I heard lately that he said he intended to kill the tax collector and Mr. Sears of the house of representatives before he leaves.

Question. What had he against your husband so far as you know ?

Answer. I think it was all political.

Question. Your husband was a leading republican in the county ?

Answer. Yes, sir ; he was a leading republican.

Question. What was Poncher's politics ?

Answer. He has always said that he was a democrat.

Question. Has he been pretty strong on that side ?

Answer. He has been for the last twelve months ; I have seen in one paper the statement that he was a republican—that Doctor Kreminger was killed by a republican. That is not so ; he was a democrat.

Question. Have you any reason to suppose that other parties were privy to the killing of your husband ?

Answer. Yes, sir ; I do think so.

Question. State what makes you think so, and who the other parties are.

Answer. I think Captain Edwards knew all about it, and I will tell you my reasons for thinking so. The week before Doctor Kreminger was killed he had to carry his children over the water in a boat to school every morning, and to bring them back in the evening. Poncher was seen in the morning at the water with his double-barrel gun, and a repeater. He staid at Captain Edwards's house, and he was there five evenings and mornings in one week. That makes me think that he must have known what Poncher's intention was. A young fellow came over and told my son-in-law that Poncher had been over there and asked him where Doctor Kreminger landed his children when he carried them over, and if he carried them himself ; and then he told this young fellow not to say to anybody that he had seen him.

Question. Who is Captain Edwards ?

Answer. He is a merchant there in New Troy.

Question. What are his political belongings ?

Answer. Just what Poncher's are ; he is a strong democrat, or professes to be. I do not know whether he knows what he is ; that is the way he talks.

Question. Has Poncher made any statement about his killing your husband or how he came to do it ?

Answer. I understood he did last Monday night in court.

Question. What was it ?

Answer. I heard that he said it was others that urged him to do it ; that he did get sort of mad one day with Dr. Kreminger, but had got over it ; that it was other parties that had urged him to do it ; and that if it had not been for them he never would have done it.

Question. Do you know how the democrats there looked upon your husband ?

Answer. Yes, sir ; they hated him, I reckon, worse than they did " the old boy." He was a Union man, and had been across the line ; a deserter, as they say.

Question. Did they ever say what would be the effect if they could get him out of the way ?

Answer. Yes, sir ; a good Union man who had crossed the line and was in the service with Mr. Kreminger, told me court week that he understood that Poncher and some others said that not a Union man should hold office three months from the time of his death.

Question. What other republicans are there holding office in the county ?

Answer. Mr. Sears and Mr. Scheiber.

Question. He said they all should be killed ?

Answer. Yes, sir ; and the tax-collector, Mr. Rouse.

Question. Did they regard your husband as a leader of the republican party ?

Answer. Yes, sir ; they did.

Question. What did they ever say would be the effect of getting him out of the way ?

Answer. I do not know ; they had talked so much, they had threatened to kill him so often, that I think that was one reason why he did not think they would do it ; it was such a common thing.

Question. Have there been any proceedings in the court against Poncher ?

Answer. Yes, sir ; there is a true bill against him.

Question. Has he been arrested?

Answer. No, sir.

Question. Why not?

Answer. The sheriff has been after him twice, but when the sheriff goes over into La Fayette he goes over into Suwannee. He has some of his strong democratic friends in Suwannee, right by the river there, who I suppose are helping him. Mr. Sears said that Mr. Mosely told him that last Saturday night two weeks ago Poncher said he never intended to be arrested alive, for they had got him to do this thing; that he did not interrupt any one; that he had nothing to go away with; and he knew it would be nothing but death if they caught him, and he never intended to be taken alive.

Question. Did you ever talk with your husband, before he was killed, about attempts to take his life?

Answer. Yes, sir; he and I talked about it the day before.

Question. What did he say?

Answer. Well, he said he had but one time to die; that he knew if they would kill him they would do it slyly; they would take some advantage of him; they would never come out boldly and do it. They did take some advantage; they came within forty yards of my piazza; it is just forty yards from the edge of my piazza to the court-house window. Poncher went into the upper story of the court-house and slipped back the window, and just as my husband sat down in the porch he shot him.

Question. Have there been any other persons killed there recently?

Answer. In the county?

Question. Or in that part of the State?

Answer. His is the eighth murder there has been there in a little better than two years.

Question. In that county?

Answer. Yes, sir; and none of those who committed the deeds have ever been brought to justice or arrested.

Question. Were all the persons killed republicans?

Answer. All that I know were republicans; Sam. Edwards, Mr. Ashley, Mr. Foster, and my husband were republicans.

Question. Have there been any colored people killed?

Answer. Yes, sir; there was a colored man killed at Old Town; he was killed by another colored man, who made his escape.

Question. Who was Mr. Ashley?

Answer. I just knew the man when I saw him.

Question. Where was he killed?

Answer. Down near the coast.

Question. How long was that before or after your husband was killed?

Answer. My husband was killed on Thursday, and Mr. Ashley was killed on Wednesday of the week before.

Question. Do you know who killed him?

Answer. No, sir.

Question. You do not know whether Poncher killed him or not?

Answer. No, sir.

Question. Do you know whether a Mr. Allison was killed?

Answer. I have heard of his being killed.

Question. When and where?

Answer. I do not know; I heard some men say the day the doctor was killed that that made three murders in less than three weeks, and they named Mr. Allison.

Question. Mr. Ashley and Mr. Allison were, like your husband, republicans?

Answer. Yes, sir; I know Mr. Ashley was, and I think Mr. Allison was.

Question. Do you know what the feeling of the Union people is in your county on the subject of their safety or protection?

Answer. Well, they think it bad.

Question. Have you had any talk with any of them?

Answer. Yes, sir; I heard Mr. Wesley say once that if there was not some alteration he should have to leave the county, for a Union man's life was not safe there.

Question. Who has the majority in the county, fairly and properly?

Answer. Well, it should go fairly and properly for the Union men; but they have got so that a great many of them are afraid to express their opinions.

Question. Are there any people in your county that are called carpet-baggers, that is, northern men, who have come in since the war?

Answer. Yes, sir; my husband used to hear enough of that; he used to get his share of cursing about carpet-baggers.

Question. Did they call him a carpet-bagger?

Answer. They used to curse him about the carpet-baggers and niggers; they said they were all who supported him.

Question. Are there many northern men in the county?

Answer. I do not know how many there are; there are some few.

Question. I understand that a large portion of the Union men, the soldiers, were southern-born men, like your husband ?

Answer. Yes, sir.

Question. Men who had gone across the line, and served under the United States Government ?

Answer. Yes, sir.

Question. In what part of South Carolina did you live at the beginning of the war ?

Answer. I lived in Darlington district.

Question. Were there a great many Union men in that district ?

Answer. Not many ; but they were not like they are here ; they did not wish to kill every man that was not like them. A Union man's family there was not mistreated because he had gone over to the other side, like they do here in Florida.

By Mr. BAYARD :

Question. You say your husband came to Florida in the year 1865 ?

Answer. I think it was ; I won't be certain.

Question. He went at once into political life ?

Answer. Yes, sir.

Question. He engaged actively in politics ?

Answer. Yes, sir.

Question. What was the occupation of Poncher ?

Answer. He was clerk of the court awhile.

Question. How old a man was he ?

Answer. I reckon he is going on sixty years old.

Question. An old man ?

Answer. Yes, sir.

Question. Had he a family there ?

Answer. He has a family, but he does not stay with his family.

Question. Do you mean that he has abandoned them ?

Answer. Yes, sir ; his life is bad ; he has led a bad life from report ; he is a bad man.

Question. Irrespective of his crime in murdering your husband, was he a bad man in character before that time ?

Answer. That is what the citizens all tell me, that they never knew anything good of him.

Question. How long ago was it that he was clerk of the court ?

Answer. I do not know.

Question. About how long ; since you have been there ?

Answer. Yes, sir.

Question. Within the last year or two ?

Answer. He was removed from office.

Question. By whom ?

Answer. By Governor Reed.

Question. Was he appointed to office by Governor Reed first ?

Answer. I think so. He came out and made out that he was a good Union man, and I thought for a while that he was a Union man, until the citizens began to tell us about him. From his acts in the office Mr. Kreminger said he must be removed.

Question. Did Mr. Kreminger have him removed from the clerkship ?

Answer. Yes, sir.

Question. Was he removed because he found out he was not a Union man.

Answer. I reckon it was ; I cannot say.

Question. He had been appointed by Governor Reed to this clerkship of the court ?

Answer. Yes, sir.

Question. How long did he hold it ?

Answer. I do not know.

Question. A year or two ?

Answer. I think nearly two years.

Question. Then you say that Mr. Kreminger found out he was not a Union man, and had him removed ?

Answer. Yes, sir.

Question. Did that make this man very angry at him ?

Answer. Yes, sir, it did.

Question. Do you think that that was what led to his assault upon your husband ?

Answer. I cannot say.

Question. Had he anything else against him but that ?

Answer. He was always going on about the constitution and the republican laws, saying they were the meanest laws that ever were ; that nobody could live under them.

Question. Did he say that after he was removed, or before ?

Answer. Before.

Question. Your husband had him removed from office ?

Answer. Yes, sir.

Question. You say he had always professed to be a Union man or a republican, before that time?

Answer. That is the way he talked when he came and tried to get the office of clerk.

Question. Did your husband originally recommend him for appointment?

Answer. I cannot say.

Question. What office did you say your husband held?

Answer. He was county judge.

Question. And this man was the clerk of his court?

Answer. He was put out, and my husband was put in as county judge after he was out.

Question. He had him removed first by his influence with Governor Reed?

Answer. Yes, sir.

Question. How long after he was removed did he shoot your husband?

Answer. Poncher was removed some time last March, I think.

Question. In the spring of the present year?

Answer. Yes, sir.

Question. And he committed this murder in the following October?

Answer. Yes, sir.

Question. Was Poncher a drinking man?

Answer. Yes, sir; he drank a great deal; he always kept drinking, but never got down drunk; I never saw him stagger.

Question. You say that his life was dissolute, otherwise; that he did not live with his family?

Answer. That is what the neighbors say; I do not like to say what I do not see and know myself.

Question. I want to get a general view of this man's character.

Answer. It is bad, so the neighbors say.

Question. As I understand you, he came in the morning; what time of the day was this murder committed?

Answer. It was right early in the morning; I reckon the sun was a half an hour high when it was done.

Question. About 7 o'clock?

Answer. I suppose it was.

Question. He shot your husband from where?

Answer. From the court-house window. He just raised the window on a crack; they just slide backward and forward, and he opened it a little.

Question. He shot him with a double-barrel gun?

Answer. They say that one barrel was a rifle, and the other barrel was a shot-gun. He went and exchanged his gun with some other man down there, so as to get the shot-gun and rifle all in one.

Question. Had Poncher any other means of support; was he a man of any property at all?

Answer. No, sir; I think his family, his wife and daughters, made their own support.

Question. He was a man of no means at all, except this office he once held?

Answer. That was all.

Question. When he shot your husband, you went out and found him dying?

Answer. Yes, sir.

Question. How long did he survive?

Answer. It seems to me like it was almost an hour; I do not know; I cannot tell.

Question. He died in a little time?

Answer. Yes, sir.

Question. Did he know who killed him?

Answer. I said, "My dear, Poncher has killed you," and he nodded his head twice. The ferryman, old Uncle Martin, a colored man, said, "Doctor, are you hurt bad?" and he nodded his head twice.

Question. Had Poncher abused him, and talked with him, after his removal?

Answer. Not that I ever heard or knew of.

Question. Poncher knew that he had caused him to be removed?

Answer. Yes, sir.

Question. Who did he appoint in his place?

Answer. My son-in-law, Mr. Hawkins.

Question. He was appointed clerk in the place of this man?

Answer. Yes, sir.

Question. Your husband is judge of the court now?

Answer. He was judge of the court when he was killed; we have no judge now.

Question. When this man committed this murder, what did he do?

Answer. He jumped right out of the door, and went to the back of the court-house. When I was stooping over my husband, my little daughter said, "There is Poncher;" he was peeping at me. I said to my daughter, "Go into the house, and bring me the

gun." He started to run, and he stopped three times between the court-house and the grocery, and turned around and looked back.

Question. Had he a gun with him?

Answer. Yes, sir; and he went right past the grocery a few rods, and stepped in his boat, and went right across.

Question. What water is that he crossed?

Answer. There was a great fresh in the river, and the whole of Troy, almost as far as you could see, was overflowed.

Question. He got in his boat, and went away?

Answer. Yes, sir. The only dry place in town was where my house and the court-house stood.

Question. And he went away?

Answer. Yes, sir; when my son-in-law had got to my house he was gone.

Question. Has he been seen there since?

Answer. No, sir.

Question. He evades the sheriff by going into the adjoining county?

Answer. Yes, sir; so the sheriff says the people tell him.

Question. The political sentiment of the people of your county is republican?

Answer. Yes, sir.

Question. The sheriff is appointed by the governor?

Answer. Yes, sir.

Question. He is a republican?

Answer. Yes, sir.

Question. Is he anxious to make the arrest?

Answer. I think he is, but it is just this way as I tell you; where he gets a Union man to go with him he says he can depend upon him, but there are some others he cannot depend upon.

Question. He knows whom to depend upon and whom not?

Answer. Yes, sir.

Question. A majority of the county are with him in sentiment?

Answer. Yes, sir; but the majority are in the lower part of the county, far away from him.

Question. Did you go before the grand jury and give your testimony?

Answer. Yes, sir.

Question. And a true bill was found?

Answer. Yes, sir; that is what they tell me.

Question. And you say this man has evaded the sheriff thus far?

Answer. Yes, sir.

Question. Has the governor been told of this murder?

Answer. I think my son-in-law wrote to him.

Question. He is the clerk of the court?

Answer. Yes, sir.

Question. Has the governor offered a reward for the apprehension of this man?

Answer. I do not know; I got some papers yesterday, but I have not had time to read them.

Question. You said something about this man Poncher being a democrat; do you know whether he had any politics at all?

Answer. I heard my husband and Mr. Sears say that he said he was a democrat from the crown of his head to the soles of his feet.

Question. Your husband disapproved of Poncher very much?

Answer. I suppose so.

Question. He thought him a very bad man, and had him removed from office?

Answer. Yes, sir.

Question. You have spoken of a number of men who were killed, and you mentioned some names of those you said were members of the republican party. Do you know who the others were who were killed?

Answer. I do not.

Question. Do you know anything about what their politics were?

Answer. No, sir; I do not.

Question. Do you know who killed these various men?

Answer. It has been said—

Question. Have persons been indicted for it?

Answer. There are true bills against two men there now, but neither of them have been arrested.

Question. What are their names?

Answer. Mr. Parker and Dick Hunter.

Question. When was that?

Answer. Two years ago last August.

Question. What did they do?

Answer. They went to his home where he was at work, and Parker went for Foster,

and Edwards said they were going to hunt cattle, and at night they were killed. Foster and Edwards were at Mr. Parker's house.

Question. Where were they shot?

Answer. About two miles from Mr. Parker's house; so I heard.

Question. Shot by those men who were charged with it?

Answer. There were some others charged with it, but there were true bills found against those two.

Question. Do you know the cause of that murder?

Answer. I do not.

Question. Do you know anything about the cause of it?

Answer. No, sir.

Question. Do you know anything of the politics of the parties connected with that crime?

Answer. No, sir; I cannot say.

Question. Were the other murders you speak of committed under similar circumstances?

Answer. I cannot tell you.

Question. Have you any further knowledge of the cause of them than you have of the last one you spoke of?

Answer. No, sir; I have not.

By the CHAIRMAN:

Question. I do not know that I understood your statement about the men who were killed at the time they were hunting cattle. What were their names?

Answer. Sam Edwards and Frank Foster.

Question. By whom were they killed?

Answer. It was said they were killed by Dick Hunter and Henry Parker.

Question. There were others concerned with them, but those were the parties indicted?

Answer. Yes, sir.

Question. Had your husband been informed of Poncher's waylaying him before he was killed?

Answer. Yes, sir; he had been told of it.

Question. Did he keep away from Edwards's house where he waylaid him?

Answer. Yes, sir.

Question. You think Poncher was removed from the clerkship in the March of last spring?

Answer. Yes, sir; I think it was in March.

Question. Where had he been staying all that time?

Answer. After he was removed?

Question. Yes; where did he live?

Answer. I do not know.

Question. You do not know where he made his home?

Answer. No, sir.

Question. Had he staid in New Troy?

Answer. He had staid there while he was clerk a part of the time.

Question. And when he was removed he went away?

Answer. Yes, sir.

Question. Have you heard of any people in that county that are commonly called Ku-Klux?

Answer. Yes, sir; there are some of them who boast of it. I have never heard them talk myself, but I have heard others say so.

Question. Do you know whether this man Poncher claimed to belong to them or not?

Answer. I do not know.

Question. Who did you ever hear of boasting that they belonged to the Ku-Klux?

Answer. I have heard several speaking about their having a Ku-Klux meeting down in the lower part of the county, but I cannot tell whether it is so, and I don't like to tell anything without I know it is so.

Question. Were these killings supposed to be connected with the Ku-Klux organization?

Answer. Yes, sir; I think so.

Question. Do other people think so besides you?

Answer. What? do they think the Ku-Klux—

Question. That they killed your husband and others?

Answer. Yes, sir; and that they killed Foster and others.

By Mr. BAYARD:

Question. Now, have you any knowledge of the cause of this murder of your husband by these people, other than what you have stated to us?

Answer. I think it was political.

Question. That is all you know ?

Answer. Yes, sir ; and I believe it was just so.

Question. The facts you have stated are all the facts you know ?

Answer. Yes, sir.

Question. When you have been asked about this organization called Ku-Klux, have you any knowledge of the subject yourself ?

Answer. No, sir.

Question. None whatever ?

Answer. No, sir.

Question. When you were asked whether this murder of your husband or the murders of these other people were caused by them, have you any other facts to base it upon than what you have stated to us ?

Answer. No, sir.

JACKSONVILLE, FLORIDA, November 13, 1871.

MALACHI MARTIN sworn and examined.

By the CHAIRMAN :

Question. What is your age, where were you born, where do you now reside, and what position do you occupy at present ?

Answer. I am forty-nine years old ; I was born in Ireland ; and I now reside in Chattahoochee, Gadsden County, in this State. At present I am warden of the State's prison.

Question. How long have you been in Gadsden County ?

Answer. I have been a resident there since the 1st of January, 1869.

Question. As warden of the State's prison all the time ?

Answer. Yes, sir ; warden or commandant. At first it was a military prison ; but a law was passed changing the title of the officer in charge from commandant to warden.

Question. Since you have been there have you been admonished to take care of yourself personally ?

Answer. I have.

Question. By whom, in what way, and from what ?

Answer. I received a letter through the mail telling me if I remained in the position I then occupied, my fate would be that of others who had stolen and robbed the southern country. Here is the letter I received. [Handing the chairman a letter.]

Question. I see it is post-marked Marianna.

Answer. Yes, sir.

Question. That is in Jackson County ?

Answer. Yes, sir.

Question. What is the distance from Marianna to Chattahoochee ?

Answer. Twenty-eight miles.

[The letter referred to is as follows :

“HELLS HOLE, April 13th 1871

Col MARTIN : You have used some language against me that is *unjust* & if you remain in the position, you now occupy your fate will be as others, that has stolen and robbed our southern country

Respect &c

One who knows you and all of your rascality”]

Question. Have you any knowledge who wrote this letter ?

Answer. Not the most remote.

Question. You do not recognize the handwriting ?

Answer. No, sir.

Question. Or call to mind any occurrence that connects anybody with this ?

Answer. None whatever.

Question. Have you had anything else in the same direction ?

Answer. Nothing of a threatening nature ; I have been cautioned.

Question. By whom, and when, and against what ?

Answer. Soon after the receipt of that letter I wrote to the editor of the Courier, in Marianna, inclosing a copy of that letter, stating that it was postmarked at Marianna, and I presumed the author sometimes visited there ; that I was not aware of having used any unjust language toward any person, and if any person thought I had, should they call on me I would give what explanation I had in my power, and if I could not satisfy them I would give them the best in my shop ; that if they proposed to do any killing I had no objection to die as Dickinson had, and they might as well begin with me as with any other person. That was not published as I know of, but a very abusive article was. Soon after that, between 12 and 1 o'clock at night, two gentlemen came

to my residence and were admitted. Both were acquaintances of mine, and, I presumed, friends. I received them in my bed-room and asked them what they were doing that time of night sloshing around, going about and Ku-Kluxing a fellow. I said this in a joking kind of a way. They asked me if I had any whisky, and I said I had not. One with whom I was the most intimate I touched with my elbow, and we walked out on the big porch, where I said to him, "What is all this; what are you fellows here for?" He said, "I can't tell you; so and so," mentioning the name of the other one, "will tell you." I returned to the bed-room, and the other gentleman said, "I want to speak to you; come here." I walked out on the porch again, and he asked me some questions to satisfy himself what he presumed I was. Being satisfied of that he said, "I want you not to go out of these walls until you get leave from me." I said, "Is that all?" He said, "That is all." I said, "All right." We then returned to the bed-room, and he again asked if I had any whisky, and I said, "No." They said, "Good-night," and left. Three or four days afterward one of the parties returned—not the one who cautioned me, but the other—and asked me if I had any whisky, and I said I had not. He said, "Come down town and take a drink." I asked him if he was speaking by authority, and he said, "Yes." I said, "Is it all right?" He said, "Yes." I said, "Is the coast clear?" He laughed and said, "Yes, come on." We went down town, got a drink, and I returned. Afterward I asked him if he thought there was any danger, and he said, "No, I think it is all right now." On a previous occasion I had engaged with some gentleman to go across the river into Jackson County on a fishing excursion. We appointed the day, but the night previous to the day when we were to go an acquaintance of mine called at the door of the house about 9 o'clock at night and said, "You are going over to the lake to fish to-morrow?" I said, "Yes." He said, whispering, "I have come to give you a friend's advice: do not go." I said, "All right." He went away, and I did not go.

Question. Was there any reason you can assign why these men should have taken interest enough in your personal welfare to come to you and give you that sort of advice?

Answer. They were friends and acquaintances of mine. They differ with me in politics; but they are good citizens, and I think they are opposed to any violation of the law. They are personal friends of mine.

Question. That was the only relation between you and them?

Answer. Yes, sir.

Question. Do you know any reason why any hostility should have been exhibited to you personally? Have you had any difficulty with anybody?

Answer. None; on the contrary my relations with all my acquaintances up to that time had been quite pleasant.

Question. To what did you attribute this manifestation of unfriendly feeling?

Answer. It would be hard for me to say what reason there was for it. As I said to you, I have had no personal difficulty with any person. My relations with those with whom I have come in contact have been pleasant, even with those who are opposed to me politically. I meet them, and in a joking way I call them "Johnny Rebs," and they call me "Yank." I cannot form any idea that I could swear was a reason for it.

Question. You spoke of a paper publishing an abusive article?

Answer. Yes, sir.

Question. What was the character of the abuse?

Answer. I do not remember the terms used, but it stated that no person would think of such a thing as interfering with me; that I was beneath any notice.

Question. Do you know anything about any attempt on the part of the State government to provide arms for its militia?

Answer. I do.

Question. When was that, and what was it?

Answer. I think it was in 1868 that the governor purchased some arms in New York, and they were brought on here. The first that I saw of any of them was the residue of those which were broken in pieces, and they were brought to the office I then occupied in the capitol. They were brought there from the railroad, where they were picked up by the United States troops, or under their supervision.

Question. What was the fate of those arms; what became of them?

Answer. I heard they were ultimately sold, or something of that kind done with them. Of the broken parts I selected some forty muskets. I was very hard set to get forty that were any way serviceable. I have never seen arms on the battle-field after an action in such a condition as they were; they were very badly broken.

Question. By whom and how?

Answer. I heard they were broken on the railroad. The adjutant general told me that he had them put in cars at Jacksonville, and the cars locked; that he went into the passenger car, and when he arrived in Tallahassee those cars were empty. There was no mark of violence on the cars, as if they had been broken open. I heard that the guns were distributed along the road as if they were thrown out while the cars

were in motion. They were picked up afterward under the supervision of the United States troops.

Question. What is the most satisfactory theory of the manner in which they were disposed of?

Answer. The impression left upon my mind, from all I had heard and seen, was, that the political party opposed to the administration heard that these arms were coming here, and that the State militia were to be armed; that arms would be put in the hands of negroes, to which they were opposed. In order to prevent it, through an organization and in collusion with some officials of the railroad company, a party of men were admitted into the cars, and while in motion the arms were thrown out, and other parties there were prepared to receive them and break them up so as to prevent the militia being armed.

Question. This was done in collusion with some of the railroad officials?

Answer. It would appear so from the fact that the adjutant general told me that the cars were locked after the arms were put in them, and there were no marks on the cars, as if they had been broken open.

Question. Were there any railroad officials opposed to the State government?

Answer. So far as I know, they were all of a different complexion of politics.

Question. The railroad was under democratic influence?

Answer. So I understand; my impression is that they were held in check in that way; I think all the employés were held in check in that way.

Question. You have said something about organized parties; do you know anything of an organization existing in this State?

Answer. I do not know of any personally; I do not belong to any secret political organization, and never have. I have heard of the Union League; I have heard of Ku-Klux, of Brotherhoods, and of different organizations, but I have never seen any, and I do not know of any of my own knowledge.

Question. What information have you concerning the Ku-Klux that you deem reliable?

Answer. The very frequent murders in Jackson County committed by an organization. It was reported, and I have seen and heard, I think, from very reliable sources, that such an organization existed. I have heard men's names mentioned who were men of means who did not actually themselves commit the violence, but they supported parties who did.

Question. How supported them?

Answer. Financially and by advice.

Question. Do you know anything about the organization known as the Democratic Club?

Answer. I have heard that there was such a one; I have had gentlemen tell me that there was such an organization, and that they belonged to it.

Question. Do you know whether there is any connection or supposed connection between the Democratic Club and the organization called the Ku-Klux?

Answer. I do not know whether there is or not.

Question. You say gentlemen have told you that they belonged to the Democratic Club?

Answer. Yes, sir.

Question. When, and how recently?

Answer. Why, to-day.

Question. Who told you so?

Answer. Mr. John Williams told me that he was the president, or head, in Leon County, in Tallahassee. Several gentlemen have told me that they belonged to it. One gentleman told me that he was in a meeting in Tallahassee where a citizen of good standing there, a lawyer, made a most inflammatory speech, urging the young men as to what course they should pursue.

Question. Well, what course?

Answer. He said that—mentioning this gentleman's name while he was making his speech—he said to them, that they should receive them, alluding to what are known as carpet-baggers; that they should receive them at the dagger's point, and on the point of the steel. The young man who was telling me was a brave, fine young fellow, had been in the war here, and he immediately stepped out and said to the gentleman, "Yes, and when we did that and were fighting you staid at home; and now you want to shove us into it again while you stop at home. For one, I object to any such thing." He said they had quite a dispute there in the club at the time.

Question. Have you heard any other person speak of belonging to it excepting Mr. Williams?

Answer. I have heard many admit it; they do not deny it at all, nor that it is a secret organization.

Question. How long ago was the first you heard of it?

Answer. The first that I heard of it was in 1868. They asked me if I knew of a secret republican organization, and they then said that they had their own organiza-

tion; that they would counteract and beat any organization the republicans, or, as they said, "the niggers" would get up.

By Mr. BAYARD:

Question. That was the Union League, I suppose?

Answer. I think they had reference then to what was known as the Lincoln Brotherhood.

By the CHAIRMAN:

Question. What is the condition of political feeling in your part of the State?

Answer. In my immediate vicinity in Gadsden County it is very peaceable, indeed, and I do not know but what it is peaceable all over the county. On the day of election there was a great deal of excitement; none of any consequence at the polls where I was an inspector. In the morning I thought there was a great deal of danger. The poll-books that came up were checked as to the parties who ought to be challenged who had left the county, men who were under age, men who had registered twice; there was a memorandum made so that they might be challenged, and no illegal voting take place. Before the polls were open a man by the name of Gunn came up and said he was deputy marshal, and wanted to take away the books, which I refused to allow him to do. He then arrested the one of the inspectors who brought the books up, and took him away. I was chairman of the board of inspectors, and immediately had the voters present elect another inspector. I had heard that this man Gunn, who remained there some time, had threatened to shoot me as I came out of the polling place; but he left, before the polls were closed, and I was not interfered with. I heard of excitement and threats, and there was a very narrow escape, indeed, from a riot in Quincy. I was not there, and do not know of anything of my own personal knowledge in regard to it.

Question. How is the feeling between the two parties as to being aggressive and insulting toward each other; is either party inclined to that?

Answer. There are among the democrats some men who will not insult you, but a great majority of them on every occasion will use such language either to you or at you as to provoke a quarrel immediately, without you have great control of your temper. They will damn all radicals; damn all carpet-baggers; wish them in hell. While Mr. Meacham was addressing a meeting in Quincy, I heard one gentleman say, "Damn him; I wish he and all the other radicals were in hell, and I had the key." I was near by him and asked him on which side of the door he wanted to be. He said he did not know but what he would be damned if he would not be willing to be inside if he could keep all the others in there. I had occasion to go to Bainbridge a short time ago, and a gentleman came up and said, "You are Colonel Martin?" I said, "Yes, sir." He said, "I am Colonel Smith; I want you to come and take a drink with me." I said, "Excuse me; I do not drink." He said, "I want you to do so; I have heard of you." I tried to get off, but it was of no use. We walked over to a place open as a bar, and we got a glass of ale. He took a sip of it, and then threw the rest on the floor and said that they gave him too much; and then said, "I wish all the radicals in your State were in hell; damn Purman, damn Reed, damn every radical from top to bottom." I was in a strange place, with no friends about me.

Question. You were in Georgia?

Answer. Yes, sir; but we were both from Gadsden; I turned and walked off, and another gentleman came up to me and said, "You are a man of sense; he has been drinking, and I hope you will not notice him; of course I am his friend, and would have to take his part if you get into a row with him." Such things often occur. There are many who are perfect gentlemen who will speak to you on the subjects of the day without any such insulting language or manner.

By Mr. BAYARD:

Question. When did you come to Florida?

Answer. In January, 1865.

Question. What was your first occupation?

Answer. I was captain and assistant quartermaster.

Question. In the service of the United States?

Answer. Yes, sir; in the volunteers.

Question. What was your first occupation in the State under State authority?

Answer. I left the Army and went to planting. The only position I ever held in the State was that of commandant, or superintendent, or warden of the State prison.

Question. Appointed by Governor Reed?

Answer. Yes, sir.

Question. You were speaking of the disorders in Jackson County, and of the murders committed there. Does your knowledge of, and your statements in reference to, those disorders come from hearsay and rumor, or from knowledge of your own?

Answer. There is one instance where I buried two men myself. The fear was so great that I could not get my guard to obey my orders, and go and bring back the body

of one of my guard who was murdered there. I then tried to hire citizens, but I could not hire them for any price; they refused to go. I then went myself; the guard wished to go and take arms, but I would not allow them, lest it should provoke a breach of the peace.

Question. In what year?

Answer. In 1869.

Question. In what month?

Answer. I do not remember the month; I have the date at home. I can tell you how they were killed if you wish.

Question. Certainly, I want your own knowledge.

Answer. I was absent from Chattahoochee, in Tallahassee. During my absence the guard heard that a man of the name of Thomas Barnes, a notorious character, who is represented to be the hired assassin of the Ku-Klux, or this secret organization in Jackson County—it is said that they would indicate who they wanted murdered, and he would do it. Barnes was a man who was a sergeant in the confederate service, and was afterward detailed to take up deserters, and for that purpose he had a pack of dogs. They hounded these fellows out of the swamps. After the war he left there, but had no visible means of support. He dressed well, drove a good horse, and had money. Several murders had been committed, and a reward had been offered for the murderer of Dr. Finlayson, I think; it was supposed that Barnes was the murderer. My guard having heard that a reward was offered, and, aside from that, being anxious that he should be arrested, in my absence went over to Jackson County after him. They had got information from some woman where Barnes used to stop, that he was to be there; she agreed to take away his pistols while he was in bed. It was said he used to sleep with her.

Question. A woman of bad character?

Answer. I do not suppose it was very good.

Question. She was recognized as a woman of bad character?

Answer. I do not understand that she was understood to be a public woman. He stopped with her, and she agreed with the guard to take away his pistols, and then they could come in and arrest him. They went over for that purpose. He did not come there that night, but she told them that he would certainly be there that day. They lay in a little corn-crib close to the house. There was a man from Marianna—a citizen who knew Barnes. The guard did not know him, but this man was in their company to point him out. Both of the men in the guard were colored men. While in that corn-crib they heard a man crying out for assistance, and peeped out through the cracks and saw two white men—one having hold of a negro and pounding him over the head with a pistol or something. The guard rushed out and called to these men, "Turn that man loose;" whereupon, the man turned around and shot them dead. There were two bullet holes in one of them—one in his chin and one in his neck; the other had three shots right in his breast. The other guard made his escape in the corn-field. That was on Wednesday, and Thursday morning he got back to the prison. He said there were a crowd there; he was very much excited, and I do not know that he could tell who they were. That evening I heard there were two men dead on the road near where this occurrence took place. The next morning I ordered the guard to go over, without arms, so as not to provoke any trouble. They went down to the river, and then returned and refused to go. I told the first sergeant to go out and hire some citizens; that I would pay whatever they asked. I had two boxes made to bring the bodies back in. The sergeant came back and reported that he could not hire any man for anything. Sunday morning I had the boxes taken down to the river. I had to pay the ferryman \$5 to put me over; he was so much afraid that nothing but money would induce him to take me over. At first he refused, but I told him that I must go, and that I would take his boat myself, or that he could take me over and have the money. He said he would go for \$5, and I paid him that amount to take me over. At that time the sergeant came down and said, "I will go with you;" and talked just as if he was sacrificing his life to go. I went over the river, and met a gentleman who said he would go with me and show me the road. We went over and found the bodies. Their condition was such that we could not put them in the boxes, they were so much decomposed. We dug holes on the side of the road and buried them there—putting rails under them and rolling them into the holes.

Question. Was that man who killed those men this man Barnes?

Answer. I do not know. The circumstances I heard then would lead me to believe that it was a man by the name of Newton Williams, and from that I inferred that knowing I was the commandant of the guard, knowing I had enlisted the negroes, and presuming that I was of the most radical stripe, the sooner I was got out of the way the better. That is the presumption on my part; I will tell you why I have come to such a conclusion. A lady of very strict veracity told me the day that murder was committed, that Newton Williams and some man who was stopping with him—a stranger—had both been drinking, and had drank up all the whisky they had, and were going to Chattahoochee to get a fresh supply. They were seen coming down the

road towards where the murder was committed, less than half an hour before the shooting was done; there was no other person went down there. The women in the house say they were white men, but would not mention any names.

Question. The women in the house where Barnes was to be captured?

Answer. Yes, sir.

Question. There were other women there?

Answer. Yes, sir; a woman and her family, and this was one of her daughters. The fact that no one else was seen going down there, that there was no other road leading to the place, that they were seen coming back afterwards, and the character of the man, led me to believe he was the guilty party. He lived in the county, and he heard of my plan to go fishing, and the man who told me not to go afterwards told me that this was the man whom he had heard talk about me.

Question. This Newton Williams was the man who you believed was the person against whose evil intentions you were warned on the occasion you have spoken of?

Answer. On the occasion when I was going fishing, not on the other occasion.

Question. You do not implicate him in that as you do in the fishing affair?

Answer. No, sir.

Question. Had this man been indicted for that murder?

Answer. No, sir.

Question. Had any one been indicted?

Answer. No, sir.

Question. Had any warrant been issued at that time for the arrest of anybody?

Answer. I think there was a warrant issued for him.

Question. Do you think your guard held it at the time they went over after him?

Answer. I do not think they did; my impression is that it came from Marianna; that the man from Marianna who was with them had it.

Question. Some person from a different part of the community?

Answer. Yes, sir; this man coming from Marianna, seeing my guard, thought they would be a good support to help arrest Barnes.

Question. He knew Barnes and the others did not?

Answer. Yes, sir.

Question. It was a kind of speculation of their own, to gain the reward offered for the arrest of the murderer in that case?

Answer. Partly so, but I think in great part to get Barnes anyhow. He was a notorious person, and represented to be the hired assassin of these parties. I was frequently asked to allow the guard to go, armed, and take him anyhow, because so many black people had been murdered, and he was the tool for murdering them; they wanted to get him anyhow.

Question. They made an arrangement with this woman that she should betray him to them?

Answer. Yes, sir.

Question. Did they make a pecuniary bargain with her?

Answer. I think not; I rather think it was a friendly act.

Question. On her part?

Answer. Yes, sir.

Question. Towards them?

Answer. Yes, sir.

Question. It was scarcely so toward Mr. Barnes?

Answer. No, sir.

Question. It was on that occasion that these two men were shot?

Answer. Yes, sir.

Question. Were these the only two murders you know personally about?

Answer. I know of Fleischman being murdered.

Question. Do you know any of the circumstances of his murder?

Answer. I did not see the man after he was killed, but I can tell the circumstances I know in regard to it. Fleischman called on me and wished to be protected. I said to him, "I cannot protect you; my duties are here; if you are sent here to me I will protect you."

Question. You would keep him safe within the walls?

Answer. Yes, sir; but I could not take him back to Jackson County. I advised him not to go there, but he said he was compelled to go; that all he had in the world was there; that he had a large amount out; that he had trusted the planters a great deal, I do not recollect the amount, but he said they would gather their crop and sell it, and he would not be able to collect his money unless he was there; that his family were there; that his store and stock of goods and all his interests were there, and he must go back. I went down to Chattahoochee with him, and met several persons there and asked them if they had heard anything from Jackson; if they knew whether there was a sheriff there, and what condition things were in. They could not tell me anything about it; communication was stopped; every one was afraid to go there, and no person would go except some one who supposed he would be safe, who was one of the

white people who belonged to the party there; some such person as that might go, but no person who was a republican would go. Fleischman said he would go back. He went on his way to Marianna and met a young man of the name of Sims who had been in his employment.

Question. A black man or a white man?

Answer. A white man and a strong democrat; he afterward fled to Texas for the murder of a black man. Sims told me this himself; that he met Fleischman on the road and asked him where he was going, and Fleischman told him he was going to Marianna. He said to Fleischman, "Don't go; if you do you will be murdered; you cannot live there. Go back with me to Chattahoochee; I will give you a seat in the buggy; but don't go to Marianna, for as soon as you get there you will be killed." Fleischman said he would venture, telling the same story to him that he had told to me; that his property was there; his children and wife were there. From where Sims met him and talked with him in that way to where he was killed was about a half a mile. Persons who saw the body, men of veracity, told me the manner in which it laid, where it was shot, &c.

Question. What was Fleischman's occupation?

Answer. He was a merchant.

Question. Had he any political office?

Answer. No, sir.

Question. Did he take any particular part in politics at all, or was he a man attending to his business as a merchant there?

Answer. It was so represented to me.

Question. Was Fleischman an active politician in any way?

Answer. Not at all. I think he did not interfere with politics; he was looking for money. The immediate cause of hostility to him was this: A picnic party of colored people who were going out were fired upon and several of them were killed; a ball passed through a child in the arms of a man who was carrying him, killing him and the child. There was a great deal of excitement there, and Fleischman told me himself that he was greatly excited, and he had no doubt that he did use this language: "If the colored people are to be murdered in this way, for every black man that is murdered there should be three white people killed." He said, I think, that he made use of that expression in the street; they alleged that he said so. After having said that he was driven out of the county, and returning back to his home he was murdered. In regard to the murder of Yearty, I will say I had some guards from Calhoun County, white men, who were on the road and met Yearty and spoke to him. He went on and they went on; they saw this man Luke Lot sitting behind a tree. He had two double-barrel guns with him. They stopped him and spoke to him and asked him if he was out then; that is if he was on his keeping at that time; if he was evading the law, living in the woods. He said, "You go on; here is a man coming I think I want to see." They went on and had just got around a bend of the road when they heard a gun discharged. They went back; one parted from the other, and going a shorter way back came up and met Luke Lot and spoke to him. He gave this man a little parcel with a pair of old shoes in it, and said, "Take that back to my daughter," and then rode off. He then went on up and found Yearty in the road murdered; they all got back there and found the body yet warm.

Question. From which it was supposed that Lot had murdered that man?

Answer. Yes, sir. Yearty was a representative in the legislature.

Question. What sort of a man was Lot; what was his condition in life; what did he do?

Answer. He was a farmer.

Question. What was his character before that?

Answer. He was a desperado. A man who saw me the other day in the woods was introduced to me as Mr. Jones; I knew well enough who he was. He came to caution me about what the republicans in Gadsden should do. He said that Luke Lot was a thug; that was his expression.

Question. An assassin?

Answer. Yes, sir.

Question. He has no regard whatever for life?

Answer. I think from all I know of him that he was a very bad man.

Question. A desperado, and a wild, reckless man?

Answer. I do not know how wild he is; he does not drink; he is very cool and very deliberate.

Question. Wildness is sometimes caused by liquor and sometimes by passion.

Answer. I think he is a calculating man. I do not call such a man as that wild; I call a man wild who will do things in a passion; he does not do that.

Question. Where is he now?

Answer. The last I heard of him he was at home, and no person dared go near his house.

Question. In Jackson County?

Answer. No, sir, I think he lives in Calhoun County.

Question. Was he ever indicted for this murder of Yearty?

Answer. I do not know; a reward was offered, but I think he never was arrested.

Question. Was your guard who knew him taken before the grand jury?

Answer. They were; and I think a reward was issued for his arrest, but nobody dared to arrest him, and he never has been arrested; he has a crowd of people who protect him and give him information whenever the authorities come near him; it is impossible for a sheriff to go and arrest him.

Question. He will escape?

Answer. He will get information so as to keep out of the way. I asked a man I knew if Lot was not well mounted; the gentleman was riding a very fine animal himself, and he said "He has a better horse than this mare is." I think the gentleman had one of the finest animals in Gadsden.

Question. Is he a man of family?

Answer. I think so.

Question. When your men met him they asked him if he was out?

Answer. On his keeping and evading the law.

Question. That was his character; he was such a man that it was probable that he was in that condition?

Answer. Yes, sir.

Question. Was he what you would term an outlaw?

Answer. At present he is, but he has his friends who will protect him, give him means, and give him information. I should dislike very much indeed to be sent to arrest Luke Lot.

Question. I should think so decidedly, from the description you have given of him.

Answer. Because if I had only that one there to contend with it would be all right, but I would not know who in the neighborhood to speak to.

Question. Who would assist you?

Answer. No, sir; no matter what the standing of the man was I would keep my mouth shut.

Question. Was the fact of his residing in that county known to the authorities?

Answer. I think he first went back clandestinely, but recently he has been a little bolder.

Question. You say he is a farmer?

Answer. Yes, sir.

Question. Are his farming operations interfered with at all by this manner of life?

Answer. I do not know, but I think he is now a poor man.

Question. I should suppose that the steady labor required of a farmer would be interfered with by this manner of life.

Answer. I think so. Most of the people in that vicinity have had their crops drowned out by freshets and heavy rains.

Question. When Fleischman was killed was he robbed?

Answer. I do not know; there never was any doubt in my mind as to the reason of it.

Question. Do you know of a young lady of the name of Miss McClellan being killed there?

Answer. Yes, sir.

Question. State the circumstances.

Answer. I will state them as I have heard them.

Question. You have stated the others as you have heard them?

Answer. Yes, sir; and as I believe they are. At the hotel, after tea, Mr. McClellan, a lawyer there, his daughter, and some other parties, were on the stoop; a man that is probably one of the most wealthy men in Jackson County was there also—Mr. Coker—who is represented as supporting Barnes and that class of men. His character is of that kind, even with parties who are democrats, and know him well. They speak of him in that way; they say that all is not false that is reported of him in supporting those men, that there is some truth in it. They say they have interfered with him a great deal; that the amount of taxation upon him for that purpose has reduced him a great deal; that he is not so wealthy as he was.

Question. Because of supporting these men?

Answer. Yes, sir; that is what I have heard. He was on the stoop with the others. I understood that they heard some parties on the street, and that they supposed there was a colored man there who was a constable, a man of the name of Calvin Rogers. McClellan said that he recognized his voice giving the command to fire. The impression is that they intended to kill Coker, but, by accident, Miss McClellan was killed and her father wounded.

Question. Coker was not hurt?

Answer. No, sir. Afterward the citizens turned out and would have Calvin Rogers. They did not get any warrant issued for him. The clerk of the court tried to get them to have a warrant, and to do things in a legal manner, but they refused.

Question. Who was the clerk?

Answer. Mr. Dickinson, who was murdered. He said he did all he could to get them to proceed in a legal manner, for he did not know at what moment it might be his turn. They would not do any such thing. The most prominent citizens of Marianna pursued the same course.

Question. The same course as Dickinson?

Answer. No, sir; the same course of those who took the constable who was accused of murdering Miss McClellan. They went in an unlawful way, as a mob or vigilance committee, and took him, and would not take out any warrant. There were two other black men suspected of being implicated in the murder of Miss McClellan, or of being friends of Rogers. They took them and ordered them to go with them and search for Calvin Rogers. The men refused to go, and they insisted upon their going. They said they wanted to get their arms. These people said to them, "No, go as you are, you don't want any arms." They went out of Marianna in company with these men. After they got out a piece these two black men were ordered to go ahead, and they did so; and when they got off a piece from the other party they were fired on; one was killed outright, and the other was wounded, but made his escape. There has never been any person arrested for any of these murders, or punished for any murders committed there.

Question. What became of Calvin Rogers?

Answer. He was afterward taken and killed; when they caught him they killed him.

Question. What was his office?

Answer. He was constable.

Question. That is the only elective office in the county?

Answer. Yes, sir.

Question. He was elected by a vote of the people?

Answer. Yes, sir.

Question. He was the man whom Colonel McClellan heard giving the order to fire?

Answer. He said he heard his voice.

Question. When was this?

Answer. In the dusk of the evening.

Question. There was a number of negroes in a body who approached the hotel?

Answer. I heard there were only two. The county is only across the river from me, and the affairs in that county have been such—

Question. Have you any knowledge, in the same way that you have obtained the rest of your knowledge, by information from others—I understand you are not yourself cognizant of the facts?

Answer. No, sir.

Question. Have you any knowledge of the arrest of young ladies in the town of Marianna by order of Major Purman or others connected with the Freedmen's Bureau, and of fastening them up in smoke-houses and places of that kind?

Answer. I never heard of their arrest; I heard they were ordered to appear. They pulled the flowers or desecrated the graves of Union soldiers that were buried there. Some persons friendly to their memory had planted flowers on the graves of the Union soldiers. Some ladies, whose names I do not remember, on Memorial Day, had pulled up the plants or flowers on the graves of the Union soldiers and decorated the graves of confederate soldiers with them. I do not know whether it was Major Purman or Captain Hamilton who gave the order, but they were ordered to appear before those two gentlemen at their office. They came there, and I am satisfied that they were never locked up. When they came to the office and appeared before those gentlemen they were closely veiled. They were requested by the officers to raise their veils so that they might be recognized, and they complained of that a great deal. I never heard of their being put under arrest.

Question. You never heard of young ladies in that town being locked up in a meat-house or smoke-house for the offense of singing songs of a southern character?

Answer. No, sir; I never heard that, and I thought I had heard all the bad things that could be said of those two officers, but I never heard that. I have heard of men being locked up who, in settling accounts with the freedmen, would not carry out their contracts according to the law, and they were put in a smoke-house, as there was no other place to put them in; I have heard that charge.

Question. That was in cases concerning contracts?

Answer. Yes, sir. I have heard, and I believe it to be true, that they arrested them and kept them under arrest, and compelled the enforcement of some contracts with the freedmen.

Question. You spoke of the employes of a railroad company being men of a certain party—members of the democratic party. Who was the president of that road?

Answer. Mr. Houston.

Question. Who is the president of the road now?

Answer. General Littlefield.

Question. He is a prominent member of the republican party?

Answer. I take it he is.

Question. You spoke of a democratic club that Mr. Williams and other gentlemen told you they belonged to?

Answer. Yes, sir.

Question. There is nothing secret in the membership of that club?

Answer. I do not know about the secrecy of the membership; they told me that they belong to such a club.

Question. They have spoken of it openly?

Answer. Yes, sir; since this investigation began; but the objects of it are secret.

Question. Have you not yourself seen companies come into the polls?

Answer. People voting?

Question. No; men coming to the polls as members of these clubs as democrats?

Answer. No, sir.

Question. You are not aware of that fact?

Answer. No, sir.

Question. When was the Lincoln Brotherhood formed?

Answer. I do not know of my own knowledge, but I think it was formed in 1867 or 1868.

Question. Is it still in existence?

Answer. I think it was merged in the Union League.

Question. Was it composed of black people solely?

Answer. I think not.

Question. It was composed of blacks and whites?

Answer. Yes, sir; of republicans.

Question. Was it an oath-bound association?

Answer. I do not know.

Question. You are not a member of it yourself?

Answer. No, sir.

Question. Do you know whether or not they were bound by an oath?

Answer. I do not know anything of the kind. I presume it was a secret association.

Question. Do you know whether it extended throughout the State?

Answer. I do not know, but I presume it did, and I think all through the Southern States, and I do not know but all through the Union.

By Mr. LANSING:

Question. What has become of this man Barnes?

Answer. He is now living near Marianna. He was shot in a drunken row with one of his fellows while card-playing. He was brought over to Marianna and taken the kindest care of by the best citizens there; the most eminent people in the place attended to him.

Question. Do you mean the best citizens and most prominent citizens?

Answer. I mean wealthy men, men of means and of high standing.

Question. In that class of men are included those who sympathize with Barnes?

Answer. Yes, sir.

Question. And with his conduct?

Answer. It appears so, yes; they speak of Barnes as a very chivalric, fine fellow.

Question. Is he permanently injured by this wound?

Answer. Yes, sir.

Question. So that he is not as active as he was?

Answer. No, sir; the ball passed above the knee, and now one leg is shorter than the other. He had the man so close to him that he could not shoot him directly, and he had to direct his fire at him as well as he could, and fire down diagonally through his thigh. It was Newton Williams that did it.

By Mr. BAYARD:

Question. The one who shot him?

Answer. Yes, sir; and it would have been a mercy had they killed each other.

By Mr. LANSING:

Question. As I understand from your statement, your guard did not find him at this house where he had this *liaison*?

Answer. He did not go there.

Question. They never afterwards met him there?

Answer. No, sir; he took good care not to go there afterward.

Question. How far from where Barnes lived was this house?

Answer. I do not know where he was living; he would come and go, and nobody would know where he went or what he did, unless it was his own immediate friends.

Question. As you understand, he discontinued his visits to that house?

Answer. After that, yes, sir.

By the CHAIRMAN :

Question. I understand you to say that the only complaint of bad treatment toward the young ladies, as they were called, that you have heard of, was that when they came before the officers they were required to remove their veils ?

Answer. They were asked to raise their veils.

Question. And that was regarded——

Answer. As a terrible insult offered to a southern lady by a Bureau officer.

Question. Was that made a subject of accusation in the newspapers ?

Answer. I did not see it in the newspapers, but I heard it from people of both parties. There is a circumstance I now remember : At a meeting in Jackson County, in Marianna, just immediately previous to the last election, Major Purman, Mr. Hamilton, Mr. Gibbs, Mr. Tore, a justice of the peace in Tallahassee, were at the meeting. On their return, they stopped at my place, and told me about the proceedings at that meeting ; while they were there, one of the engineer corps, who had been down to the Choctawhatchee, Lee Butler, called me out on the road, and said, " See here, those fellows are never going to get out of Marianna." I said, " Why not ?" He said, " I know they are not ; I would have told them, but I was not intimate enough with them to speak to them, and they might have thought I was sticking my oar in where I had no business to." I asked him how he knew this, and he said that he had heard in Marianna that they were determined to kill those two men ; that they should never get out of that county alive. Said he, " I had to leave and get out of that, and before I had got a half a mile a man jumped out of a ditch and caught my horse by the head ; I asked him what he meant, and he asked who I was ; I told him it was none of his damned business ; to let my horse go. A man in the brush close by the ditch said, ' He is all right ; let him go.' That showed that the roads were picketed." Butler is a very gallant, nice young fellow, I think a man of strict honor and integrity.

Question. You spoke of two negroes who, the evening that Miss McClellan was shot, were taken out to hunt for Rogers.

Answer. After the murder ?

Question. Yes ; I understood you to say they were sent forward, and when they got on a little piece, they were shot, one killed and the other wounded.

Answer. Yes, sir.

Question. Were those the negroes charged to have been with Rogers at the time of the shooting ?

Answer. Not with him at the time of the shooting, but with being intimate friends of his, sympathizing with him.

Question. That was the charge against those men ?

Answer. Yes, sir.

Question. What had they against the people who were going out on a picnic ?

Answer. I do not know what they had against them ; as I heard it, it was represented that Rogers was one of the party.

Question. One of the party going to the picnic ?

Answer. Yes, sir.

Question. And they shot a man and his little child and killed them both ?

Answer. Yes, sir ; and I do not know how many were wounded.

Question. There were others wounded ?

Answer. I do not remember how many ; this other, being such a horrible thing, remained in my memory better than the other circumstance.

Question. Has there been any attempt made to hunt out the offenders ?

Answer. Dickinson organized a party and followed some tracks, but they did not amount to anything.

Question. Mr. Fleischman told you that, in his indignation, he said that if negroes were to be treated in that way, then for every black man killed there ought to be three white men killed ?

Answer. He said he said so.

Question. And for that they were hostile to him ?

Answer. He said that he was sent for, and went to a certain house and found some gentlemen there who said he must leave the county ; that he told them he could not go ; that his interests were all there and he could not leave ; that they said they would give him till a certain time—till 5 o'clock that evening. He did not go away, and they came down to his store and took him away.

Question. Did he say who those gentlemen were ?

Answer. Yes, sir.

Question. Who were they ?

Answer. I do not remember their names now ; I think I have them at home.

Question. Was Coker one of them ?

Answer. No, sir, I think not ; I think their names are given by Dickinson in a memorandum kept by him, that I got among his private papers.

Question. How long previous to these transactions had the Freedmen's Bureau been there, and when was this occurrence of sending for those young ladies ?

Answer. I am not familiar with the dates, but I think it was shortly after the war. I heard it was something that had taken place long ago that caused the hostility to Hamilton and Purman.

Question. Mr. Hamilton had been in Congress?

Answer. Yes, sir. After the murder of Dickinson, Judge Bush told parties who were there that it was no use to send people there to follow up this thing, for they would all be murdered, every one of them; that they must have their own people there; that that is what the people there said.

Question. Was not Doctor Finlayson one of their own people?

Answer. No, sir; they do not recognize a man of that kind as one of their own people.

Question. Was he not a native of Florida?

Answer. Well, we have here what are known as "scallawags, carpet-baggers, and niggers."

Question. By "their own people," they mean democrats?

Answer. Yes, sir; and when they nominated people in that county for the governor to choose from, every one of those they nominated were democrats, from whom he was obliged to select a county clerk and a sheriff. The last sheriff that was there left from intimidation; two clerks of the court have been murdered. Then the citizens came together, called a meeting, and selected a certain number of names, all democrats, from which the clerk should be selected, and a certain number of names, all democrats, from which the sheriff should be selected, and they said to the governor, "Appoint one of these, and we will be satisfied." He did appoint from those very men a clerk and a sheriff.

Question. What is the relative proportion of republicans and democrats in that county?

Answer. The last election would indicate that it was very close; but the fact is, that the republican party is largely in the majority.

Question. How largely?

Answer. I think that when Hamilton was elected, it was over two-thirds majority for the republicans.

Question. Those gentlemen insist that the majority shall submit to the minority?

Answer. Yes, sir.

Question. That the minority shall have the offices and control affairs there?

Answer. Yes, sir; they say they are the owners of the property, that they belong there, that they are the parties who pay the taxes, and that negroes, and scallawags, and carpet-baggers must not come there for office; that they are the owners of the soil, and they are the parties who are responsible.

Question. What is the feeling of those people toward the United States Government, so far as you have had any opportunity of seeing it manifested?

Answer. I think from all I know, and I have heard parties say so, that they would prefer a monarchy to the Government of the United States. From what I have heard, I think that if the people were allowed to vote and make a choice between the present administration and a monarchy, they would vote in favor of a monarchy.

Question. What people do you mean?

Answer. I mean the democratic party—the southern people here. Some of them speak that very plainly. One man says he would sooner have a king anyhow; that he is not in favor of a republic; that he would sooner have the King of Dahomey—a one-man government.

By Mr. BAYARD:

Question. They prefer a monarchy to the State government that they have here?

Answer. No, sir; I am speaking of the United States Government.

JACKSONVILLE, FLORIDA, November 13, 1871.

LEMUEL WILSON sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now reside, and what official position you occupy at present, if any.

Answer. I am fifty-five years old; I was born in North Carolina, and now reside in Florida. My family are in Alachua County, but I have been at Tallahassee for the last four months. I am at present receiver of public moneys in the land-office at Tallahassee.

Question. Under the Government of the United States?

Answer. Yes, sir.

Question. How long have you lived in Alachua County?

Answer. Over thirty years.

Question. Have you any people in your county that are commonly spoken of as Ku-Klux?

Answer. Not to my own personal knowledge.

Question. Are there any there from information that you deem to be credible?

Answer. No; none from any information that I have.

Question. You have no information on the subject?

Answer. No, sir, not as to the existence of an organization of that name, or any other, except political organizations.

Question. Is not the Ku-Klux understood to be a political organization?

Answer. I do not know; in my opinion it is a lawless organization. Well, I suppose it is for political purposes; that I have understood; that is my impression—that it is for political purposes, to affect politics.

Question. What is the feeling among your people there in reference to the Ku-Klux bill that passed Congress last spring?

Answer. All that I have heard speak of it are very much opposed to it; that is, all outside of the republican party.

Question. What objection have they to it?

Answer. Well, they denounce it as being an oppression, and as subverting the principles of republican government.

Question. In what do they allege the oppression consists?

Answer. Well, I have heard considerable talk about the matter. They say it is a subversion of the principles of republican government, of the rights of the people, and a centralization of power in the hands of the General Government.

Question. Do they intimate that they want to do anything forbidden by that law?

Answer. Not that I am aware of.

Question. Do they deny the existence of such organizations in the country as are aimed at by the bill?

Answer. O, yes, sir; I have never heard any one admit it.

Question. They deny there is any such thing?

Answer. That is, the whites generally deny it.

Question. If that is so, the Ku-Klux bill would not do anybody any harm?

Answer. No; I am not afraid of the Ku-Klux bill.

Question. What is the feeling toward the colored people of the same persons who denounce the Ku-Klux bill?

Answer. Well, there has been considerable opposition to the rights of the colored man, political rights more especially, and to some of the civil rights, if among those are included the right to sit upon juries and to testify in court; but that, to a considerable extent, is wearing off.

Question. The feeling in that regard is not so bitter as it was?

Answer. I think not. I hear gentlemen say now, who I do not think would have said so two years ago, that they think the negro ought to have civil and political rights; that he ought to vote; and I have heard some gentlemen say that they thought he ought to hold office. They base their opposition on the ground of ignorance.

Question. There are a great many ignorant white people, are there not?

Answer. Yes, there are.

Question. Is the objection meant to be as sweeping as the ignorance?

Answer. No; I never heard anything said about ignorance before the negro came to vote.

Question. What is their feeling toward white republicans, if you have any such?

Answer. I am known as a republican myself; I have never concealed it; I have always acted with that party; I have been pretty open in the expression of my opinions. I have nothing to complain of in their treatment of me. But I know there has been considerable social ostracism of republicans; I think it is getting less and less so.

Question. I suppose your position is such that social ostracism would not amount to a great deal?

Answer. I do not understand your question.

Question. Well, you are a society to yourself; you say you have been there a great many years.

Answer. Yes, sir.

Question. You are not dependent upon these people for society?

Answer. I think we are all dependent, more or less, upon each other for social intercourse; I always feel better when I can be agreeably met and treated in society.

Question. How have the black people in that county been treated, in respect to their safety of person and property?

Answer. Well, I am free to say that the lives of colored persons have not been sufficiently regarded; there has been too much of a wanton disregard of human life in connection with the negro.

Question. Have there been cases of homicide there?

Answer. Yes, sir ; a great many cases.

Question. Any cases of whipping and scourging ?

Answer. I know nothing of the whipping ; I have only heard of the homicides committed there.

Question. Have you had anybody brought to trial and punished for violating their rights ?

Answer. Yes, sir ; there have been some.

Question. Have there been any white men convicted and punished for these homicides ?

Answer. No, sir, none that I know of convicted ; there have been some tried.

Question. Do you think you could convict and punish a white man in your county to the extent of the law for killing a colored man ?

Answer. I will tell you my opinion, that I have expressed everywhere among our people ; it is, that I believe that a negro's rights—his rights of property—would be secure before a jury ; that a jury of our country would grant him perfect rights in a court of law in a matter of property ; but in criminal matters I do not think they would. I think it is a difficult matter to convict a white man of murder for killing a negro ; I am sorry to say it, but that is my opinion.

Question. On the other hand, is there great facility in convicting a negro for any alleged offense against a white man ?

Answer. Yes, sir ; I think he would have to be entirely innocent to be cleared.

Question. He would have to make his innocence manifest beyond contradiction ?

Answer. Yes, sir.

Question. Do you know anything about the killing of a man by the name of Lucy ?

Answer. Only from what has been written to me.

Question. Where was he killed, and when ?

Answer. At Newmansville ; I should suppose about a month ago.

Question. What was his occupation ?

Answer. He was a merchant.

Question. What is assigned or understood to be the cause of his being killed ?

Answer. I have not been there ; I got a letter from his wife, who is a niece of mine, merely stating the fact. She did not assign any cause. I knew the man who was alleged to have killed him.

Question. Who and what is he ?

Answer. He was a young man who had grown up in the neighborhood ; his name was Moody—a very wanton, murderous sort of a man. I think he was a murderer at heart, anyhow ; he was regarded as a dangerous man.

Question. Had he had any difficulty with Lucy ?

Answer. No, sir, I have not learned of any. Lucy's wife wrote me that she thought he sought a pretext to kill him. There was no sufficient cause for his conduct in the killing ; a pretext seems to have been sought for killing him.

Question. You must have some idea of what he wanted to kill him for.

Answer. I will tell you the position I think he occupied in the community : Lucy was a Jew, and I think he was in great favor with the negroes. He got a great deal of trade from the negroes, and, perhaps, was rather popular with the negroes. I have heard it said that Lucy was a republican, but I have never heard him say anything about it ; if he was a republican, he was not very active. I do not know that he took any interest in the elections.

Question. He was a friend of the colored people, and had their confidence and trade very largely ?

Answer. Yes, sir.

Question. Has the man who slew him been arrested ?

Answer. I have not heard of his arrest.

Question. Have any movements been made for punishing the crime ?

Answer. Not that I am aware of. I have not been in the county since the murder was committed. The man who slew him was tried for his life before that for another murder, which was another wanton act.

Question. Whom did he kill before ?

Answer. He had killed a negro, or was charged with it ; I have no doubt he was among a party of four who did it. I think the grand jury had found a bill against some six or more, but there were four who were tried at Gainesville, and this man Moody among the number. He had the reputation of being a dangerous man in the community.

Question. How long previous had the killing of the negro taken place ?

Answer. Two years before, I suppose.

Question. And he was acquitted ?

Answer. Yes, sir.

Question. Were all the parties who were tried acquitted ?

Answer. Yes, sir ; and I take it upon me to say that I do not believe they should have been acquitted ; they may not have been found guilty of murder, but I do not

think if it had been a white boy who was killed under the same circumstances, they would have gone free as they did. It was an outrage; there is no doubt about it.

Question. What were the circumstances of the killing?

Answer. A negro in Hernando County, whose name I do not remember, it seems killed another negro, and fled from Hernando County into some other county, and was there arrested by some four men, whether in pursuance of any warrant or not I never heard. He was being carried back to Hernando County; the report that I heard was, that he shot and killed two of his captors who had him in charge. Night overtook them, and they encamped somewhere; while encamped at night it was alleged he had shot two of the white men; I have learned that one of the parties died. It seems that he made his escape from his captors, and then the sheriff of Hernando County got after him, and tracked him toward Alachua County. When he got to a place called Archer, a station on the Florida Railroad, they there learned that he had stopped there, and was going to a half-brother of his by the name of Harry Harold, near Newnansville. He was a mulatto man, formerly a slave, an excellent man then, and I regard him a good man now. He was foreman for his master on a large plantation. The sheriff and a posse of some five or six men were in pursuit of him. They learned at Archer that he had stopped there, and said he was going to Newnansville, to his half-brother's. They followed on after the man, but before they got to Newnansville they stopped at the house of a planter there and made known their business. He sent into town for a man who had been acting as deputy sheriff, and who was pretty generally acquainted throughout the country, to come out there and see him. He went there, and was informed of what these men were after; that the sheriff of Hernando County was in pursuit of a murderer, and that he had heard he was going to his half-brother's, and he was asked to direct him. I think he was not deputy sheriff at the time; I think his authority had been withdrawn. He consented to go with them, and the party started through Newnansville, where they got another little posse of five or six men, making altogether something like twelve or fourteen men. They went to Harry Harold's house, who lives some six or seven miles beyond Newnansville, and surrounded the house in the night-time, with the expectation that the murderer was there. It seems, however, that they had got ahead of the murderer; he was not there. They surrounded the house and remained there awhile, until the dog discovered them and gave some alarm, and then it was proposed that they should all rush in, surround the house, and prevent the murderer's escape. They did so, as the witnesses testified, firing off pistols and guns, and creating a very great alarm; the negro man Harry was very much alarmed, as was also his family. They were in great distress, and he commenced to cry. He recognized the voice of one of the men, and said to him, "Massa, for God's sake, what have we done? Are you going to kill us all?" According to my recollection of his testimony, the men said, "Come out here, God damn you; we intend to kill the last one of you, one by one; come out." The wife of the man commenced to pray, and I think the witnesses testified that they said, "O, damn you, it is too late to pray now; you should have prayed before." In the excitement, a son of the man, who it seems was sleeping in the adjoining shed-room, rushed from the house, doubtless to save his life, supposing they were all to be killed. As he did so, he was shot down within some fifteen or twenty yards of the house.

Question. And killed?

Answer. Yes, sir.

Question. How old was he?

Answer. I am told he was about fifteen years old.

Question. It was for that killing that they were tried?

Answer. Yes, sir. One of them went up to the body, and said, "Now, boys, you have played hell; you have killed one of old Harry's boys." I think they thought it was the murderer who had fled.

Question. Did they do anything more?

Answer. I do not know that there was anything else they did. I think the negro stated that they went off without affording him any assistance, and I think he stated that he and his wife were not permitted to go to his son until after they left. They either testified to that or told me that, I have forgotten which.

Question. Did you know Mr. Dickinson, who was killed in Jackson County?

Answer. Yes, sir. Permit me to state a little further in regard to that other matter. I thought that a very great outrage. I disagreed with the jury. I believe there is now a law of the country in regard to murder of the first, second, and third degrees, and perhaps manslaughter in the first, second, and third degrees. I was surprised that the jury did not find the party guilty of anything. I regarded it as a very great outrage. I felt as though, if it had been my son, I should have wanted to kill the last man who had any connection with it.

Question. You knew Mr. Dickinson?

Answer. Yes, sir.

Question. What sort of a man was he?

Answer. I regarded him as a very excellent man. I was very much pleased with him.

I had met him only once ; that is to say, I was with him at Tallahassee at one time for several days, perhaps a week or two, during the first organization of the State government.

Question. What had they against him, that they should want to kill him ?

Answer. I could not learn that they had anything against him ; that is to say, anything personal. He was a gentleman of very mild manners, and I was very much pleased with the man myself. At the time I was assessor of internal revenue here, and I had appointed what was known as a southern loyalist in that section of the country as one of my assistants. I had been afterward informed that he was not likely to prove competent to discharge the duties, and, meeting Captain Dickinson at Tallahassee, I mentioned the fact to him that I heard he was out of employment. He had been engaged in the lumber business after the surrender, and had not succeeded in it. I asked him what he was doing. He said, "Nothing." I then remarked to him that I had made an appointment, but I did not know whether the party was competent ; that it had been suggested to me that he was not ; and I asked him if he would accept the appointment of assistant assessor in case the other gentleman should prove incompetent. He said he would very gladly accept the appointment, as he had nothing to do, but he did not want any person displaced for him, especially a southern Unionist. His whole demeanor made the impression upon my mind that he was a very fair, excellently disposed man. He did not want any person displaced to make way for him—would not accept the office on such terms. I told him I did not propose to remove this man unless he should prove incompetent. He said if that was so, and I should decide to remove him, he would be glad to have the situation. The impression he made upon me at the time was that he was a very excellent, clever man ; that was his reputation at his death.

Question. After he was dead, did you hear anybody allege anything against him, except his political opinions, that should have caused his death ?

Answer. No, sir ; he was well spoken of.

By Mr. BAYARD :

Question. What is the name of this young man who murdered your neice's husband ?

Answer. Joe Moody.

Question. He was a violent and desperate sort of a character ?

Answer. Yes, sir ; he was a lawless sort of a man any way.

Question. Was he a drinking man ?

Answer. Not what you would call an habitual drunkard ; but he drank sometimes.

Question. Had he had any previous collision at all with Mr. Luey ?

Answer. Not that I am aware of. I have not been living there for some considerable time.

Question. You knew nothing of their personal relations ?

Answer. No, sir.

Question. What time of the day did he kill him ?

Answer. I do not know ; it was in the day-time, I presume.

Question. Do you know anything about the circumstances, whether it was a personal encounter, or what ?

Answer. What is—

Question. Anger between the two men ?

Answer. His wife wrote me that this man Moody had gone in and asked for his account ; that the clerk presented the account, and Moody said, "I didn't ask your clerk for my account ; I asked you for it, and I want you to read it out aloud." Thereupon Mr. Luey drew a little nearer to him, and read over his account to him. Among the items was a paper of tacks, perhaps, and a few crackers. He disputed the account and swore about it, and said he did not get those things, or something to that effect. Mr. Luey replied to him that he must have got them, that they were charged to him, not in his hand-writing, but in the hand-writing of the clerk. Thereupon Moody drew his pistol and fired at him ; and my recollection is, that on the first fire he missed him. Luey then ran out of the house, and this man Moody pursued him, and as Luey ran he turned to look behind him, and the man shot him in the eye with a pistol.

Question. Has he been arrested ?

Answer. I think not.

Question. What has become of him ?

Answer. I do not know.

Question. Do you know whether he has left the county or State ?

Answer. I do not know ; I do not know anything of him at all since then.

Question. You do not know whether he is in jail or not ?

Answer. I am satisfied he is not in jail, and has not been arrested, for I should have heard of it.

Question. You do not know whether he is there or not ?

Answer. I do not.

Question. Who is the judge of that county ?

Answer. William Edwards?

Question. A good man?

Answer. A very good man.

Question. Appointed by Governor Reed?

Answer. Yes, sir.

Question. Who is the prosecuting attorney?

Answer. General Birney.

Question. A good man?

Answer. Yes, sir.

Question. Is he an appointee of Governor Reed?

Answer. Yes, sir.

Question. Has any court met since this murder?

Answer. No, sir.

Question. Who are the justices of the peace of that county?

Answer. Well, now, you are a little too hard for me; I do not know.

Question. Are they black men or white men?

Answer. I think there were two white men at Gainesville, but I am not prepared to answer the question as to the justices of the peace.

Question. They are the appointees of the governor, all of them?

Answer. I think the governor appoints all the justices of the peace.

Question. You say Moody was a violent, desperate sort of a character; reckless of human life?

Answer. Yes, sir.

Question. And had been tried previously?

Answer. Yes, sir.

Question. And that case arose out of a black man slaying another black man and escaping, and a posse in aid of the sheriff were pursuing him, and they came up, as they supposed, to a house where he was?

Answer. They went to his brother's house, where they supposed he was.

Question. This was in the night-time?

Answer. Yes, sir.

Question. And some one, escaping in the dark, was killed by the posse?

Answer. Yes, sir; it was a boy who was killed.

Question. They supposed it was a man they were after?

Answer. I do not know what they supposed; I think it was a wanton disregard of life.

Question. Was it alleged in their behalf before the jury that they thought the person who was escaping at night was the person they were after?

Answer. Yes, sir; that was the evidence.

Question. For that, this man Moody and others were tried and acquitted?

Answer. Yes, sir.

Question. You think they should have had some punishment?

Answer. I thought it was a wanton disregard of life that would not have been exhibited in regard to a white man.

Question. The sheriff was there at the time with a posse?

Answer. Yes, sir, the sheriff of Hernando County and a man who had been acting as deputy sheriff in the other county.

Question. The sheriffs are appointed by the governor?

Answer. Yes, sir; but the posses are not.

Question. The posses were persons whom the sheriff chose?

Answer. Yes, sir.

Question. The sheriff selects his own posse?

Answer. Yes, sir.

Question. You say that Lucy was a man who took little or no part in politics?

Answer. Not that I am aware of; I never was much about Newnansville.

Question. Do you know what his politics were?

Answer. I heard that he was a republican, and that he voted the republican ticket if he voted at all.

Question. And took little part in politics?

Answer. No, sir; I think not.

Question. How old is Moody?

Answer. I should suppose somewhere about twenty-five or twenty-six.

Question. Rather a dissolute sort of person?

Answer. No; he was not a drinking man—a man in the habit of getting drunk; sometimes he would perhaps get under the influence of liquor; I have no doubt he did.

Question. He was recognized as a violent, dangerous man in the community?

Answer. Yes, sir.

Question. Were you present at the trial of the four men for killing the negro?

Answer. Yes, sir; part of the time.

Question. How was that jury composed?

Answer. I think there were nine white men and three colored men.

Question. The court was presided over by the same judge you have mentioned?

Answer. Yes, sir.

Question. He conducted the trial?

Answer. Yes, sir.

Question. Your juries in that county are mixed black and white?

Answer. Frequently they are mixed.

Question. What is the proportion of the two colors in that county of Alachua?

Answer. I do not know; I think it is supposed there is a majority of negroes in the county.

Question. More negroes than whites?

Answer. I think so.

Question. Who represents it in the legislature?

Answer. There is a gentleman by the name of Dennis who represents that county and the adjoining county in the senate, and Mr. Black and some one else in the house.

Question. Are they white or black men?

Answer. I think they are black, but I am not certain.

Question. You voted for them?

Answer. I do not think I voted at the county election; I was not entitled to vote at the county election; I had not been there long enough.

By the CHAIRMAN:

Question. Do you know anything about the attack made on General Birney some time since?

Answer. I was not present at the attack, but I was on the grand jury, and heard the testimony in the case.

Question. What was the character of that attack?

Answer. It was for political reasons; it was in consequence of a political speech he had made.

Question. By whom was he attacked?

Answer. A man by the name of Denton was the leader of the party; I think there were only two who were prominent in the matter, and perhaps there were some three or four others behind; it was so thought; in fact I understood there were two or three others, but who they were I do not remember. I think one of the men who were near by and who General Birney supposed to be one of the party has since died. There were only two prominent actors in the matter.

Question. Where was the attack made?

Answer. In Gainesville.

Question. Under what circumstances?

Answer. I know General Birney very well and think very well of him. He is a republican, and had made a speech to the negroes and whoever would come and hear him. I heard a great many persons denouncing him. He subsequently made a speech out in the country at some place, I do not remember the name; it was in the neighborhood of the Dentons. It seems the Dentons heard his speech, and subsequently, after the election was over, perhaps a month after, they were in Gainesville. General Birney came in and went into the store of Foster & Colclough, who were grocers there. Denton and some of his friends were in the store when General Birney went in. He then left, and then went to a drug-store to make some few purchases there, and was immediately followed by this man Denton, a man by the name of Rain, and some others behind him. Who they were I do not know, and General Birney did not know. Denton, who was the leader of the party, approached him in a very insulting manner, and asked him what his name was. Birney declined to answer the question. I am giving what General Birney testified to before the jury, according to my recollection. Denton said, "I know your name, God damn you; your name is Birney, and if it were not for you," or something to that effect, "the negroes would vote the democratic ticket." He went on and denounced him in bitter language; said he could whip him, and perhaps challenged him to fight, which of course General Birney declined. He thereupon seized him by the beard, or made an attempt to do so, and the gentleman who kept the drug-store, Doctor McMillan, then interfered and put the young man out of the store. General Birney having finished his business in the store, went somewhere and got some arms, mounted his horse, and rode leisurely home.

Question. Do you know whether he was pursued?

Answer. I understood him to say that he was informed 'hat he was pursued.

Question. You spoke of the Dentons; do you know where they came from?

Answer. From Georgia, originally; they have been here some time.

Question. Do you know where they came from to Georgia?

Answer. No, sir; I do not know anything about that; I knew their father very well.

Question. What was his first name?

Answer. I do not remember what his first name was.

Question. What is the character of the men?

Answer. Well, they are rather desperate young men; quite so since the surrender.

By Mr. BAYARD:

Question. Who is General Birney; where did he come from?

Answer. I think he is from Illinois.

Question. When did he come here?

Answer. He came here since the surrender; that is, he came here in 1869, I guess; bought a plantation out there, a good large plantation in Alachua County, moved his family there, and has been living there ever since, and is living there now.

Question. What office does he hold?

Answer. He is now solicitor of the circuit.

Question. Prosecuting officer?

Answer. Yes, sir.

Question. Were you the foreman of the grand jury in that county?

Answer. No, sir; of the United States grand jury.

Question. These parties were indicted in the United States court?

Answer. Yes, sir.

Question. Were they indicted?

Answer. To which parties do you allude?

Question. The parties in the Birney case.

Answer. Yes, sir.

Question. Who were indicted?

Answer. An indictment was found against Henry Denton and another man of the name of Fountain; I think they were the two men whose names General Birney testified to; he did not know the names of all of them.

Question. What was the character of the offense for which they were indicted?

Answer. For a violation of the civil-rights bill, I suppose; for violation of his right to speak and utter his opinion, I presume; I do not know exactly; it was under the enforcement act, which guarantees to every man a right to express his opinion freely. It was for an expression of opinion at a political meeting that he was attacked.

Question. He had made a speech before that time?

Answer. Yes, sir; and it was in consequence of that speech that he was thus assaulted. *Question.* They found him in a store, and committed the assault upon him you have described?

Answer. Yes, sir.

Question. And for that they have been indicted in the United States court, for some violation of some act of Congress?

Answer. Yes, sir; Denton and Fountain have been.

By the CHAIRMAN:

Question. It was nothing personal between them?

Answer. No, sir.

Question. There was no acquaintance between them?

Answer. No, sir; it was for his political speech and nothing else.

JACKSONVILLE, FLORIDA, November 13, 1871.

T. T. LONG sworn and examined.

The CHAIRMAN. This witness having been called at your instance, Mr. Bayard, you will commence his examination.

By Mr. BAYARD:

Question. Will you be kind enough to state your present residence, and your official position and occupation?

Answer. I cannot exactly state my residence; since my sickness, and the loss of my children, my family have gone to Augustine. I am judge of this judicial circuit, the fourth circuit.

Question. What counties are embraced in your circuit?

Answer. Baker, Bradford, Clay, Saint Johns, Nassau, and Duval.

Question. How long have you been the judge of this circuit?

Answer. I was appointed during the vacation last year, I think; I do not know what month; I was confirmed last winter.

Question. Prior to that time had you been judge of another circuit?

Answer. Yes, sir; I had been judge of the third judicial circuit; prior to that time I had been judge of the Suwannee circuit, appointed in 1860 or 1861.

Question. What was the circuit?

Answer. The third judicial circuit, Taylor, La Fayette, Madison, Suwannee, Hamil-

ton, and Columbia Counties. Previous to that I had the old Suwannee circuit, when there were only five circuits in the State.

Question. Have you acted with the republican party in regard to the reconstruction of the Southern States?

Answer. I have, and still continue to act as a reconstructionist; I am not opposed to the reconstruction laws.

Question. And you have acted with that party?

Answer. I was pardoned by Congress, and have acted with the reconstructionists.

Question. Your disabilities were removed by act of Congress?

Answer. Yes, sir; upon the recommendation of the military. General Sprague, and I think probably General Grant, had something to do with it; I have that from information.

Question. This committee has been appointed under a resolution of Congress, instructing them to inquire into the condition of the State of Florida, and other States, especially as affecting the safety of person and property under her laws within her boundaries. We desire to learn from you, as a man high in position in your community, the true condition of affairs here. Therefore, without any specific questions, will you be kind enough to state, in your own way, what you know upon the subject?

Answer. I have never seen any trouble with those men who come here and behave themselves; I respect a northern man as well as a southern man; if a bad man comes here he is as unsafe as he would be North. I will state further that there are bad men in our country, as I suppose there are in every other country, who band together, two or three at a time, and perform certain bad deeds. Two or three bad men will get together, from malice, revenge, or hatred, and to carry out a certain project will do a great many bad deeds.

Question. Is the sentiment of your community generally of a peaceable and orderly character as a rule?

Answer. So far as the majority are concerned; there are a few bad men in each county, and in every county I have been in; but so far as the majority of the citizens are concerned, I know of nothing to the contrary.

Question. In the courts of justice, over which you have presided in the different parts of the State, do you believe that at the present time there is reasonable security for persons and property to those who go before them for redress?

Answer. Yes, sir; and I will say further that if I wanted to convict a man I would rather take a colored jury than anybody else, because they seem to be more anxious to convict.

Question. Your juries are—

Answer. Mixed juries. I have had sometimes two-thirds of one or the other color, and sometimes half and half. There has been no trouble in regard to the juries, and I see no necessity for any, for they seem to behave themselves very well.

Question. It seems to be a question whether colored men, or white men whose opinions lead them to act with the republican party, could obtain proper redress and justice before your courts. I wish you to answer on that subject whether you consider there is a discrimination against them in your courts, and by your people, and by your juries?

Answer. Since reconstruction I have been judge of twelve counties, and I have seen no cause to complain of that; in fact if there has ever been any discrimination I have never seen it.

Question. Suppose a colored man should have wages or ought else due him withheld by his employer; would your courts and juries afford him an efficient remedy to obtain justice?

Answer. I have never known to the contrary.

Question. Suppose he should be assaulted and injured, and should bring a criminal action for the injury, and a civil action for the damages done him, is there reasonable ground for him to obtain justice?

Answer. Just as much as there would be for a white man.

Question. Is there, then, to your knowledge, any discrimination in your courts of justice against colored people, or against men who are of republican opinions?

Answer. That is rather an unpleasant question, because I cannot hold the office of judge and make any discrimination in my courts.

Question. I am speaking of the current of justice, not of your own individual action.

Answer. I have never seen it.

Question. There have been witnesses here who have alleged that such is the case; I want to know your opinion.

Answer. Those men are certainly misinformed, or have acted upon very strange and foolish prejudices, for I certainly have never shown any in my position.

Question. There have been various persons before us from your community; you said that Madison County was at one time within your jurisdiction?

Answer. Yes, sir.

Question. Did a man of the name of B. F. Tidwell live there?

Answer. Yes, sir; I have known him since a boy.

Question. What position does he occupy now?

Answer. I think he has been appointed county judge since I left the circuit.

Question. What has been his occupation within the last six years in Florida at different times?

Answer. He has been a justice of the peace, a little trader around, and he used to deal faro.

Question. Do you mean that he kept a faro-bank?

Answer. Yes, sir; I have seen him at that.

Question. Was he a professional gambler?

Answer. Yes, sir.

Question. And has since been made a judge of the county court?

Answer. I have been informed so.

Question. Have you seen him occupied in that business, and do you know that he was a professional gambler and dealt faro?

Answer. I have seen him deal it many a time. I ought to say that I have been in his back room very frequently when he did it.

Question. How long ago was that?

Answer. Just before the war, and I think probably during the war.

Question. There was a man here of the name of Frank Myers, of Columbia County; do you know him?

Answer. Very well; I have known him for years.

Question. What was he?

Answer. I think he was a farmer and trader generally; he has been so many things that I could hardly keep up with the man. He was first a democrat, and then a republican, and then on the day of election he made a speech and sold Johnson out, and then he turned around and got up the Courier for a while; I saw his name advertised as an agent of the Courier, and he asked me to subscribe for it. I do not know his status now.

Question. You have been well acquainted with his career in the community?

Answer. Yes, sir.

Question. And have generally known what he was?

Answer. Very well.

Question. In the county where he is known what is his reputation for veracity and reliability of statement?

Answer. That is a hard question to answer, from the simple fact that some of his friends may think well of him, and others may not. For myself, I do not have much regard for his veracity.

Question. What is his general reputation for veracity?

Answer. It is very bad in anything.

Question. From his reputation in the community for truth and veracity, would you believe him on oath?

Answer. I would not if he was the slightest interested; I regret to have that to say about any man.

Question. You consider him an unreliable man in his statements?

Answer. I consider any man who acts as he does very unreliable. He acted toward Mr. Johnson in such a way as to make me consider him very unreliable. I think if Mr. Johnson were here he would make the same statement—the senator from the county there.

Question. Have you had many cases of homicide in your district?

Answer. I have in both districts; a great many more in the other than in this.

Question. It has been stated by some witnesses here that the persons who committed homicides in this city, and in this county and adjacent counties, were generally members of the democratic party, so called, and that those who were the victims of those acts were men of the opposite party. Now, I would like to ask your contribution of testimony on that subject, as you have been a judge before whom many of these criminals have been tried.

Answer. I think I can state fairly that I have never had perhaps but one case before me in my life, and that was the case of Goodbread, where politics entered into the killing. We have a great many cases of killing. I think whisky has more to do with them than anything else. We have a great many bad white men and colored men. Colored men kill each other; and I had one hung in Madison. I cannot say, from the evidence before me on the trial of those cases, that there ever was but one that I considered a political matter.

Question. What case was that?

Answer. The case of Goodbread.

Question. Where was that?

Answer. In Columbia County.

Question. How long ago?

Answer. A great many years ago. He was a desperado and refugee from Georgia. A

man from Columbia County was killed the other day in South Florida, who was a desperado. He killed a white man there; they were both desperadoes. One of them has been killed, and I think it would have been a good thing if both had been killed. I would have been glad to have seen a colored man kill either of them. They were men of bad character, and boasted that they were white. There may have been many other cases, but I cannot speak of them; this is the only case I know of.

Question. You say that the killings have not had any political significance. In looking over the facts in this very county where we are, can you remember the names of cases here?

Answer. A colored man named Dickson killed a police officer. He was tried twice and convicted, but owing to the wrong rulings of an ignorant presiding judge, he had a new trial granted.

Question. What were the politics of those men?

Answer. I do not know the politics of either of them. A white man killed another white man down here, both democrats, and both are now dead.

Question. Do you remember the case of Henry Mill?

Answer. Whom did he kill?

Question. Another negro at the ——— House.

Answer. Yes, sir; that was a long while ago.

Question. Do you remember a man of the name of McGwin, a negro?

Answer. Yes, sir; he killed another colored man.

Question. Do you remember a man of the name of Jenkins, who killed Winter?

Answer. That case happened just beyond my house. Two colored men got into a fight about something or another; both were republicans, I suppose.

Question. Do you remember a man of the name of Burgess, who killed a white man?

Answer. That is the case I spoke of. Burgess is since dead, and both are now dead; and Scott was the other one, and he has been hung.

Question. Has there been any killing by United States soldiers in your town?

Answer. That was before I came here. I only wish to speak of matters that came within my own knowledge.

Question. Then do you find that men of the same political party will kill each other?

Answer. Of course.

Question. It is the low and vicious and brutal who will do it anywhere?

Answer. Yes, sir; there is no difference here from any other place.

Question. Is there any distinction between Florida and other places in regard to murders?

Answer. I have never known it.

Question. As a judge presiding over the trial of the most of these cases, you can speak of it?

Answer. I have only spoken according to the testimony before me. I think the case of Goodbread was the only case of the kind.

Question. What is the character of crimes generally tried before your court?

Answer. My court is limited now to felonies principally—stealing, larcenies, arsons, and assault with intent to murder; more larcenies than anything else.

Question. Who generally commit those crimes; what class?

Answer. You may safely say that seven out of ten are committed by the colored people in my circuit; I do not know about the other circuits.

Question. There has been a great deal told us here in regard to Jackson County; have you any knowledge of that locality?

Answer. I was raised there; my brother resides there now.

Question. In that way have you frequent intercourse with the people of Jackson?

Answer. Tolerably so.

Question. What do you understand to be the condition of that county?

Answer. I really do not wish to express my opinion, unless the committee desire it, because it is unpleasant for me to express an opinion which I have upon the say-so of the governor of the State.

Question. It is precisely that we desire to obtain, not from any personal reason, but opinions from all sources worthy of belief, from all persons having means of information.

Answer. If the committee desire to hear anything coming from him I will give it.

Question. I will say so.

Answer. The governor said that if it had not been for Mr. Hanalton and Mr. Purman the condition of society there would not be as it is now. We all know that colored men are prejudiced and ignorant, but generally willing to do right. They are led astray by bad and wicked men, and I think that that has been the case in Jackson County.

Question. Has there been ill-feeling brought about between colored people and white people by the persons of whom you speak?

Answer. I have no doubt about that fact; I know it to be the fact in a number of the counties of the State I have been in.

Question. You think that has been the course of the persons of whom you spoke in regard to the colored people?

Answer. I will say generally; but I cannot say as to a number of them, because we have some very good northern men.

Question. I am speaking of the individuals you have named.

Answer. Several have done it, I have no doubt.

Question. I mean have done it in that county?

Answer. I have no doubt they have done so.

Question. State what has been the course of those men in regard to colored people and white.

Answer. If I am to take the remarks of one of the senators in the last senate, he said that the southern men used to own them and work them, and now they owned them and voted them.

Question. Who said that?

Answer. Mr. Purman; he told me so in the State senate in Tallahassee.

Question. Has the course of Mr. Purman, and of men who have entered politics on the basis he has here in this State, been such as to exasperate the black people against the white, and vice versa?

Answer. I do not know that it has exasperated the whites against the blacks; but he certainly has exasperated the blacks against the southern men, and I think very foolishly so, because I think it is a destruction of the party.

Question. Have there been collisions between the races, brought about by counsels of such men as Mr. Purman?

Answer. I have not the slightest doubt about it.

Question. There has been a case very much commented upon by witnesses, repeated by almost all of them, the murder of Mr. Dickinson, the clerk of the court.

Answer. I knew him very well.

Question. The case occurred out there in Jackson County. State what your understanding of that act was, and your belief as to who committed the crime.

Answer. I was not there, and I can only state such information as I have received; if I am allowed to give that information, I will do so.

Question. I will state to you that this committee has taken the very widest range in obtaining information; they have taken testimony, nine-tenths of which has been hearsay, what they term reliable information, and such you are at liberty to state.

Answer. From information through my friends and relatives there, I knew Mr. Dickinson, and regretted his death very much, for I thought very highly of him. I wrote to Jackson County to ascertain the facts in regard to his death, as near as I could. I am satisfied that a man by the name of Bryant killed him.

Question. Who is he?

Answer. A colored man. I became the more satisfied of this fact afterward from this: A colored man at work on the railroad came to me and told me that Homer Bryant was in town, and wanted to know if I desired to see him. I said I would have him imprisoned if I saw him, because I thought he murdered Mr. Dickinson. I liked Mr. Dickinson; he was a very good man.

Question. What had Bryant against him?

Answer. I have understood that there was some connection with some family matters, with some colored woman that he kept; I do not know anything about that.

Question. State what you have heard upon reliable information.

Answer. I have heard that was the reason.

Question. I want you to give the fullest information you have upon this subject. I will state this to you: that the death of Mr. Dickinson has been laid repeatedly upon the white population of that county; it has been charged before this committee that there was a conspiracy among the white people of that county to take his life and the lives of others; therefore, I want to get from you your judgment and your information upon the subject, whether it shall go in that direction or in the contrary direction.

Answer. I only speak from what I have heard. I was acting with the republican party at the time. I felt deeply for Mr. Dickinson. I wrote to my friends there. It is true that most of my friends there were not political friends of Mr. Dickinson, but they were my relatives. I have heard no one there ascribe his death to any such motives.

Question. To a conspiracy against him on the part of the white people?

Answer. No, sir; on the contrary, I have heard a number of white gentlemen there express in high terms their regard for Dickinson, and I cannot believe such a thing existed.

Question. Do you mean men opposed to him in political views?

Answer. Yes, sir; in fact, Mr. Dickinson applied to me to admit him to the bar. I told him if he would come over to my cirenit, and he stood an examination, I would take great pleasure in admitting him. I know many gentlemen spoke to me in the highest terms of Mr. Dickinson.

Question. I understand you to say that a man of the name of Bryant—what was his full name?

Answer. Homer Bryant.

Question. Was he a colored man?

Answer. Yes, sir.

Question. He fled from that county?

Answer. He came down here, and I said I would have him arrested if I saw him. A colored man connected with the railroad asked me if I wanted to see Homer Bryant, and I said I would have him arrested if I saw him.

Question. Did you tell him for what you would have him arrested?

Answer. I did not.

Question. For what would you have had him arrested?

Answer. For the killing of Mr. Dickinson; I would have turned him over to the authorities there. If he was innocent he could be cleared.

Question. Was there anything in the condition of Jackson County to prevent a thorough investigation as to the cause of Dickinson's death?

Answer. If so, I am not aware of it.

Question. Who is the prosecuting attorney there?

Answer. Mr. Milton was at the time.

Question. An appointee of Governor Reed?

Answer. Yes, sir.

Question. Is he a man of fair ability?

Answer. Of very fair ability.

Question. A man of the same political party with Mr. Dickinson?

Answer. I think he had not much to do with politics; I think he took the position for his support.

Question. Would he be a faithful administrator of the law?

Answer. If not, I am not aware of it.

Question. Who is the judge in that circuit?

Answer. Judge Plantz; I think he was formerly United States district attorney at Key West.

Question. What was the result of the investigation; were any proceedings held in regard to the murder of Dickinson?

Answer. I know they had an investigation, but I do not now recollect the result of it; if I heard it, it has slipped my memory, whether anybody was held or not.

Question. There was a man named Calvin Rogers, a colored man, who was killed in Jackson County. Will you state what you know of that case?

Answer. He was the man that killed Miss McClellan, I think.

Question. Who was Miss McClellan?

Answer. The daughter of Colonel McClellan; Colonel McClellan and Miss McClellan and a man of the name of Coker were sitting in the piazza of the hotel one evening, and Calvin Rogers rode up and shot Miss McClellan and wounded Colonel McClellan in the arm. The people were exasperated and caught him in a house; he attempted to run away, and I understood they fired at him and killed him.

Question. There has been a statement here that a great deal of exasperation existed in the community, and that a day or two before that time some men had fired upon a colored picnic, and I think killed some persons and wounded some people who were peaceably enjoying themselves.

Answer. I heard that there was a picnic going to Chipola River, and that they were fired into and probably a minister or some one shot. It was simply an event that I heard of at the time.

Question. Was the killing of Miss McClellan in any way retaliatory for that act, that you know of?

Answer. If so, I never heard of it.

Question. The killing of Rogers was because he was supposed to be her murderer?

Answer. I do not know that that has ever been denied even by Rogers.

Question. I would like to know, if you can give us the information, what has gradually caused that feeling of exasperation there until the two races seem to be entirely separate in their sentiments. The colored men from that county have been here, and declared that they are unsafe in their homes; every one examined before this committee from that county has been a member of the republican party, and apparently an ardent republican; Major Purman among the rest. What has been done to create this feeling in that community?

Answer. I have answered that question. It is well known throughout the State, both to republicans and democrats; it is no political question of that sort as to who and what have caused it. It is caused by men who have come here for the purpose of office and position, who have excited the colored race with a view to getting places; I do not think there is any dispute at all upon that point.

Question. Have they arrayed the colored race against the white people?

Answer. They have had to do it in order to be successful, not against the white people, but against the southern people.

Question. The southern people are the bulk of your white population here?

Answer. Yes, sir; I suppose a majority, and they are so far as voting is concerned.

Question. Do I understand that you attribute the bad condition of feeling and lawlessness in your community to the causes that you have mentioned; that is to say, to the ambition of men lately coming into your State to provide themselves with offices, and their efforts to use the colored race as stepping-stones to obtain them?

Answer. That is just the whole truth of the whole thing, when you come to thin it out.

Question. I understand you also to say that you consider that your laws are competent to protect your people?

Answer. I think we have the most stringent criminal laws, probably, of any in the United States, if they can be carried out; they are very rigid.

Question. There is another matter I want to ask you about, and that is in regard to the taxation in this State, and the condition of your property; what is the financial condition of your State and of your treasury?

Answer. I do not know what the condition is, so far as some matters are concerned; in regard to railroad matters, I can tell you how many bonds have been issued; \$4,000,000 of bonds have been issued to a railroad, which I think will be perfected. Under a general act for different corporations—nobody can tell how many—\$600,000 of 6 per cent. bonds, I think, have been issued, besides the \$4,000,000. I think the indebtedness of the State is a little over a million and a half, including the State scrip.

Question. Were you the gentleman who is named as taking part in the tax-payers' convention, the Hon. T. T. Long?

Answer. I am the very man.

Question. I observe here a preamble and set of resolutions adopted by that convention.

Answer. I expect they originated with me.

Question. Do you believe these resolutions express the truth in regard to the condition of your State?

Answer. I know they express the truth in regard to the finances of the State.

Question. Do they express the feeling of your property-holders?

Answer. I expect they do.

Question. Was that meeting called without respect to party affiliations?

Answer. Yes, sir.

Question. Did gentlemen of both parties mingle in it?

Answer. Yes, sir; both republicans and democrats, colored men and white men; men of all classes and grades of politics came there. I drew those resolutions. That convention was gotten up more to relieve the people from taxation, and get the State scrip all taken up.

[The preamble and resolutions referred to are as follows:

“Preamble.

“When in the judgment of citizens of free constitutional government it becomes necessary to adopt measures to preserve existing constitutional rights and representative republican government, or to effect legislative or other reforms, a proper respect both for themselves and for their fellow-citizens requires an explicit declaration of the principles which impel to action, and a definite statement of the particular object they propose to accomplish. We hold, therefore, that all men are equal before the law, and are entitled to the protection of life, liberty, and property, and the pursuit of happiness. The right of the people to publicly assemble and confer upon any question in which they are interested, freedom of speech and freedom of the press, public and free schools, the right of every man to worship God according to the dictates of his own conscience, impartial trial by jury, the writ of habeas corpus, the civil power above the military, free, fair and untrammelled elections, the elective precincts to be established convenient to the people so that their ballots may be cast without annoyance and hinderance from their business for an unreasonable length of time, and every precaution made to preserve the integrity of the ballot-box, and the honest and impartial counting the result of every election, are all great cardinal principles to preserve American civil liberty and the fundamental principles of our Government.

“And whereas the deplorable condition of the State, as well as county finances and affairs, is a consequence of the loose and reckless legislation of men formed into governing cliques—“rings and caucuses,” banded to sustain such organizations independent and destructive of the principles of American free government—it is our judgment from past experience that there can be no hope for relief from excessive taxation and amelioration of the condition of the masses of the people, only in the determination of the whole people, representing the interest of the laborer, agriculturist, mechanic, manufacturer, merchant, and capitalist, all having mutual interests growing

out of and depending one upon the other, to sustain no man for office or promotion that we do not know to be honest, capable, and industrious to perform his duties as a public employé, free from personal bias when the great interests of the people are concerned. For these reasons, therefore

“Resolved, That the increased and increasing expenses of State and county governments require an expression of opinion by those interested in the economical administration of their affairs.

“Resolved, That the present exorbitant rate of taxation is not only detrimental to the prosperity of the State, but an injustice to a large mass of the citizens who are compelled to bear the burdens of its payment, and which must, from necessity, militate against the poor as well as the rich, and especially upon the laboring and producing class of our citizens.

“Resolved, That we believe the consummation of so desirable an object requires the most scrutinizing discretion in the appointment of officers, both State and county, and that we pledge ourselves to use all honorable means for State officers hereafter to be elected; that they shall be men who will not be ruled by a “ring, or caucuses,” independent of their own judgment of what is right and just for the interest of the whole people.

“Resolved, That the governor of the State having large discretionary and appointing power, we hereby respectfully recommend and demand that in making appointments a careful scrutiny should be observed, that none but honest, capable, and industrious men be hereafter appointed to office.

“Resolved, That the people of the counties, by their delegates here assembled in convention, respectfully say to his excellency the governor, that we are indifferent to what past political party the officers hereafter appointed shall belong—we only requiring the test of honesty, capability, and industry, to serve the people not as rulers but as public employés fulfilling all the requirements of the law.”]

Question. Do you know what the market value of your bonds now is?

Answer. I think the railroad bonds have been or are to be sold for about 70 cents on the dollar; the 6 per cent. bonds I do not think could be sold for anything.

Question. How many of those are out?

Answer. Between \$500,000 and \$600,000, I think. The railroad bonds have been sold.

Question. There is a statement in the Tri-Weekly Courier of September 14, 1871, to this effect:

“The taxable property of the people of the State has been arbitrarily assumed, for the purpose of revenue only, to be \$34,439,053, and that upon this arbitrary and raised valuation there has been assessed a sum amounting in the aggregate to \$471,811. It is believed that the county and corporation taxes will amount to more than this sum, to be added. This tax of more than one million of dollars must be paid out of the *personal property*, as in most localities real estate is not convertible into money. The personal property is estimated to amount to the sum of \$11,721,521; the tax therefore, is nearly one-eleventh part of all the personal property in the State. This has been fixed up by the celebrated board of equalization, the act passed by a bogus legislature majority, for its establishment January 27, 1871. The president of the board is Wm. H. Gleason, who holds a seat in the legislature, and was never elected. Purman and Billings are also members of this board. Monroe County, with 953 voters, the average value of the land is put down at \$16 91, and the whole amount of taxes \$8.056 17, the county and corporation tax not included. Jefferson, with 1,632 voters, the average value of the land is put down at \$4 85, and the tax, 15,395 52, not including county and railroad tax. Leon, with 2,942 voters, the average value of the land is put down at \$5 16, the tax 22,449 02, not including county, corporation, and railroad tax. In Duval, the average price of land is put down at \$2 19. In Franklin County, at 9 cents per acre. In Levy, at 44 cents per acre; in Liberty, 25 cents; in La Fayette, at \$1 38 per acre; in Wakulla at 60 cents, and Washington at \$2 05. Verily, verily, these *carpet-baggers* are a wise set of men, ‘in a horn.’ The whole thing has something of the appearance of the school-boy play of *tag*, but a little more serious to those that are tagged.”

Do you believe that the statement in respect to personal property and taxation is mainly correct?

Answer. These figures are taken from the county returns.

Question. Is that in substance a correct statement of the taxation in this State?

Answer. A correct statement so far as the books of the county show; I cannot say that the books are correct.

Question. What is the politics of the Tallahassee Sentinel?

Answer. It is a republican paper.

Question. I find in that paper an article taken from the Floridian, headed, “What has become of the proceeds?”

[See article incorporated in testimony of C. B. Wilder, subsequently taken.]

Have you read that article, and read the statement of the disposition of the proceeds of \$2,800,000 of bonds which had been issued by the State to General Littlefield?

Answer. I read that article.

Question. It is stated in that article that, as a result of Littlefield's sale and use of those bonds, there remained for the use of the company about 33½ cents on the dollar in currency.

Answer. I do not think that is a correct statement.

Question. It is taken from the record of the suit tried in New York in chancery?

Answer. That suit originally emanated in my court, upon \$600,000 of bonds that Hopkins & Co. had. An injunction was served upon Hopkins, and I made him give bond to pay this \$600,000 toward the building of this road; consequently, that would change these figures over 35 cents. I have no doubt the editor had no idea of the judicial matters going on at the time.

Question. There was security that would increase it by the amount of the \$600,000?

Answer. Yes, sir.

Question. How much in all?

Answer. It seems this money is in the hands of Mr. Hopkins in New York, who was the broker, and the party who sold the bonds. There was a mistake in the application of that money. Hopkins intended to apply it to other purposes, but the road was determined that he should not do it. They resorted to my court, and I stopped \$600,000 of it while here. If there is any rascality or roguery in that thing, I think it is on the part of Mr. Hopkins, of New York. Littlefield is determined to get it for the road. Littlefield owed Hopkins for iron and things in advance, and there was still due from Hopkins \$800,000, besides what I have secured.

Question. What has been the price at which these bonds have been sold?

Answer. I cannot speak of these things, only as I have heard them; I have heard they have been sold from 43 to 83 cents on the dollar.

Question. Do you know what Littlefield sold the bonds to Hopkins for?

Answer. I do not know.

Question. The facts, as set forth in this paper, are not correct?

Answer. No, sir, because they were not aware at the time that editorial was written that this \$600,000 was stopped.

Question. That \$600,000 was a part of the \$2,800,000?

Answer. Yes, sir.

Question. That leaves \$2,200,000 remaining; is the statement of the paper correct in regard that \$2,200,000?

Answer. I do not know how much Littlefield has got from Hopkins.

Question. Is Hopkins the agent of Littlefield or of the State?

Answer. Of Littlefield.

Question. How much has been expended by Littlefield in this State?

Answer. I cannot tell.

Question. How much did he receive from the State?

Answer. Probably \$4,000,000. I could have known how much he has expended by asking him, but I did not ask him, because I preferred not to know, as I was the judge of this circuit.

Question. The State of Florida would then have but an equitable claim upon Hopkins & Co.?

Answer. They would have this claim: if they could get Hopkins here, they would make him disgorge.

Question. That would be as equitable assignee of Littlefield's interest?

Answer. Yes, sir.

Question. Hopkins was Littlefield's private and confidential agent?

Answer. Not now; he was at the time.

Question. The \$4,000,000 of bonds were issued to Littlefield, the president of this road, under the laws of Florida?

Answer. Yes, sir, and he passed them over to Hopkins.

Question. And the law of Florida allowed him to do that?

Answer. They were put in his hands to sell, for the purpose of building the road.

Question. You do not know what portion of that money has been returned by him to the benefit of the road or to the treasury of the State?

Answer. I know that \$840,000 of the old railroad bonds have been purchased and paid in.

Question. The debt of Florida is about \$1,500,000, together with these \$4,000,000 of bonds, making \$5,500,000 of the bonded debt of the State.

Answer. There is a half a million of bonded debt; the bonds have been issued, and are in the hands of the governor.

Question. Has your treasury been paying its debts in money?

Answer. No, sir; I get for my salary \$2,500 in scrip, worth about 30 cents on the dollar.

Question. That is paid you by the treasurer?

Answer. Yes, sir. I could not pay my taxes with it; they will not take it for tax.

Question. What is the rate of your tax?

Answer. I think, take every man in the State, poor and rich, high and low.

and black, it would average about two and a half dollars each. As for my taxes this year, I would willingly give all my salary, and a hundred dollars in gold to anybody who would pay them; they will not take my salary in payment of it. We have a railroad tax in the county I formerly lived in, in Columbia County, where my property is. The State was bonded before the war for the building of that road, and that tax is now to be collected and paid, and the county of Columbia has \$196,000 to pay.

Question. Have other State debts been authorized by the legislature?

Answer. All these others were authorized.

Question. To what amount?

Answer. I suppose legion is about the only word that would spell it; they are various, and issued upon certain contingencies. Each road is entitled to so much. I think Mr. Osborn has some bonds to build his road; Mr. Reed has some.

Question. What Osborn; United States Senator?

Answer. I do not know whether bonds or lands; one or the other.

Question. He has a road in course of construction?

Answer. He has a road that he wants to construct.

Question. What is the prospect of the people of Florida in the face of this debt, in their present condition, if they have to pay the interest on it, and keep it up?

Answer. I do not think the surplus of the State will pay the taxes of the State—take the railroad tax, school tax, militia tax, county tax, State tax, and municipal tax. Owing to the recent storms here, and the distress of the country, I do not think there will be a surplus in the State to pay the taxes. The owner of a farm will have to not pay his laborers if he pays his tax. Farmers have failed in their crops, and no man, if he has made a little, will pay his taxes and let his laborers go.

Question. The governor has by proclamation postponed the payment of this tax until the 1st of December next?

Answer. Yes, sir.

Question. Suppose these taxes are then enforced against the property-holders, what would be the result?

Answer. I am sorry to say that I think it will be general ruin to the agricultural interest.

Question. Can these taxes be collected without an enforced sale of the real estate of the people?

Answer. Not in a great many parts of the State.

Question. The effect of that will be to throw out of employment those now employed?

Answer. I think so. I am sorry the governor did not suspend the tax until the legislature could meet, and allow them to pass an act authorizing the scrip now out to be used to pay taxes, and permit the farmer in that way to pay his debts to the State.

Question. How do the expenses of your State government now compare with what they were before the war?

Answer. I suppose they are now three or four to one. For a number of years before the war the State tax averaged about \$83,000 or \$85,000; this year the taxes, I think, amounted to \$471,000. Since 1868 the accumulated State debt has been about a million of dollars; I think the State debt in 1868 was \$650,000, now it is \$1,650,000; that is outside of the railroad bonds issued.

Question. It has increased 300 per cent. within three years?

Answer. It has been increased very rapidly?

Question. Has this been the result of extravagance in the disbursement of the State funds? I wish you would state, as far as you know, where the money has gone, who has got it, and what has been done with it.

Answer. That is a thing I do not think any man this side of eternity can tell, except the governor; I know I cannot, and I do not suppose the comptroller can tell; it is not here, and the taxes are increased.

Question. What has been the character of your legislation; has it been prudent and careful, or reckless and incompetent?

Answer. You ask me a very plain question, and I must give a very plain answer; it has been reckless and incompetent both.

Question. Has it been corrupt, in the opinion of the people of the State?

Answer. What do you mean by corrupt?

Question. I mean dishonest.

Answer. There are dishonest men there, I have no doubt, but I cannot say that a majority of them are so.

Question. Have the resources of the State been squandered?

Answer. I will say they have not been husbanded very carefully.

Question. Have you any means of accounting for how this enormous growth of the debt has been incurred, and how these vast expenditures have been made?

Answer. Only by acts of the legislature; they have given a great deal of latitude to the comptroller. They have made a great many appropriations which they require to be paid, and they have required the comptroller to levy taxes to pay them. There are a great many taxes which the people should be relieved from.

Question. The State treasury is now insolvent ?

Answer. You can have my scrip for 30 cents on the dollar ; that is the most I have got for it this year. If I was not able to live without my salary, I could not hold the office.

Question. What will be the result to your people if, by the 1st of December, they are called upon to pay these taxes ?

Answer. The hope of the people is this : the governor has put it off until the 1st of December, and the legislature meets on the 1st of January. It takes the tax-gatherer two weeks to get around ; it takes thirty days more to sell the property, if the taxes are not paid ; and before that is done, the people hope that the legislature will relieve them. I hope there is a sentiment among the members of the legislature to relieve the people of Florida, for they are in a very critical condition, so far as their finances are concerned.

Question. One method would be to provide that the scrip should be accepted in payment of taxes ?

Answer. Yes, sir.

Question. What will become of the other creditors ?

Answer. We believe in taking care of the people at home first ; the governor must take care of the treasury.

Question. What has become of the interest on this large bonded debt of \$4,000,000 ?

Answer. That has been paid three or four years in advance.

Question. To whom ?

Answer. To the English capitalists who took the bonds.

Question. The interest has been paid ?

Answer. Yes, sir ; and that is the reason why I was anxious that the governor should not tax us for interest on those bonds, or for military expenses, for we have the United States military here, and they can take care of us. I have been a great friend of Governor Reed, and worked for him very hard on several occasions when he got into trouble.

Question. The legislature assembles in January ?

Answer. Yes, sir.

Question. It is elected ?

Answer. Yes, sir.

Question. Does that legislature contain material that has at heart the interest of the people of Florida, and intellectual ability to devise means for their relief ?

Answer. If they have not got it, the safety of the political party to which the majority belong, I think, will make them see that they must do it.

Question. Where will they get this aid if they have not got it in their own body ?

Answer. They will find out that the feeling of the people is such that they will pass the acts that are required.

Question. You have described your State to be in a most deplorable condition, financially—a condition which calls for the very highest order of financial ability to extricate her from her troubles, and put her squarely on her feet again. Have you, in your present legislature as now elected, the elements for such relief ?

Answer. If so, I have not seen it ; that is all ; they have not displayed it.

By the CHAIRMAN :

Question. I understood you to say that your disabilities were removed by Congress ?

Answer. Yes, sir.

Question. When ?

Answer. I think I was in the first list of men from Florida whose disabilities were removed.

Question. What disabilities had you to be removed ?

Answer. I had been State senator in Georgia and solicitor general of the Savannah circuit.

Question. That did not create disabilities.

Answer. That is all I recollect of ; they were removed by act of Congress. I held no office under the United States Government ; I had been in the war ; I had favored the rebellion ; I was a secessionist, but I got it whipped out of me, and quit.

Question. You were among the original crowd of secessionists ?

Answer. I was not in any convention.

Question. When did you come to Florida ?

Answer. I was two or three years old when I first came here ; but when I was about twenty years old I moved from Florida, and then came back in 1859.

Question. When did you hold these offices in Georgia ?

Answer. I was in the Georgia senate in 1850 and in 1852, and in 1855 I was solicitor general. I beat Tom Butler King in 1855 for the senate.

Question. You say that, if men come here and behave themselves, they will be protected ?

Answer. I mean come not drinking, stealing, carousing, &c.

Question. Have they not the protection of the law whether they behave themselves or not?

Answer. What I mean by "protected" is, that they would be respected more than protected; if they do not behave themselves, they are made to do it, both those who come here and those who are here.

Question. That is what you mean by saying if men come here and behave themselves they would be protected?

Answer. Yes, sir; they are respected and would be protected by law.

Question. Are not men protected whether respected or not?

Answer. Yes, sir; but I mean that if they behave themselves, they are respected and taken upon equal terms by the citizens.

Question. That is all that you mean?

Answer. Yes, sir.

Question. You have spoken of Mr. Tidwell as being a professional gambler and faro-dealer; when was that?

Answer. I saw him in 1859 and 1860, and along there.

Question. How recently have you seen him?

Answer. I have seen him a dozen times in a year recently.

Question. Keeping a faro-bank?

Answer. Either in 1859 or 1860.

Question. You have not seen him play since that time?

Answer. No, sir.

Question. Did you ever play with him?

Answer. Yes, sir, before that time I did; I never dealt faro with him.

Question. You bet on it?

Answer. Yes, sir.

Question. He was on one side and you on the other?

Answer. Yes, sir; like many others in this world.

Question. You have been asked what Mr. Tidwell's character is, and I want you to state what it is at this time in the community where he lives.

Answer. I do not reside in that community now; he lives in Madison, and I live here; I know nothing against his character now.

Question. Is he entitled to be believed, according to your estimate of him, as a witness under oath?

Answer. I would not say he is not, because I do not reside in his neighborhood; I have not resided with him for years. I do not know anything against his character for truth and veracity; I think he is a prejudiced man; that is about all I have against him.

Question. I understand you to say that you would not believe Mr. Frank Myers on oath?

Answer. From his character and vacillation.

Question. What has he vacillated in?

Answer. In almost everything.

Question. In anything but politics?

Answer. Yes, sir, in other things. If you wish, I will give you the reason. When I was in the circuit there as judge, I heard many complaints from colored men about his not paying them; he would swear he had, and they said he had not. I believe the colored men never did get their pay. For these reasons I have been disposed to think that Myers was a bad man.

Question. Tell us what your political course has been.

Answer. I was in old times a democrat, and secessionist afterward. When this State came back into the Union, I took the oath of allegiance to the Government of the United States, and I have been true and loyal ever since.

Question. With what political party have you acted?

Answer. With the republican party.

Question. In every instance?

Answer. Until lately; I do not propose to act with them now until they come back to proper principles.

Question. How did you vote last fall?

Answer. I have not voted in my county for some time; I was not at home last fall.

Question. Where did you vote at any time before that?

Answer. I always voted in Lake City, where I lived.

Question. How many times have you voted there since the war?

Answer. Twice.

Question. When was that?

Answer. I cannot recollect the time; I voted but once; I voted at the time of Judge Knight's election.

Question. Who was Judge Knight?

Answer. He ran for the State senate.

Question. He was a republican?

Answer. Yes, sir.

Question. You have voted one republican ticket since reconstruction ?

Answer. Yes, sir ; I have not been at elections before.

Question. What other claim have you for being considered a republican ?

Answer. I do not know that I belong to either party ; I want to vote for the best men. I stumped the State of Florida for the constitution and for Governor Reed ; I was the first man that came out flat-footed for the constitution of Florida, and for Governor Reed. I sustain Governor Reed, and have sustained him in his troubles.

Question. You have spoken of a convention which is called the tax-payers' convention ; you say that was made up of all political parties ?

Answer. They were from all parties, I said

Question. I have here a list of delegates. I will read over some of them, and ask you to state what their politics are. What is J. M. Burnside ?

Answer. A republican.

Question. What is E. Dias ?

Answer. I am inclined to think he is a republican.

Question. What is William O'Cain ?

Answer. I do not know his politics.

Question. What is P. A. Holt ?

Answer. He holds office under Reed ; some consider him a republican, and some a democrat.

Question. What is A. B. Hagan ?

Answer. Rather more conservative than anything else.

Question. What do you mean by conservative ?

Answer. I think he is more with the democrats than with the republicans.

Question. What is A. Peeler ?

Answer. I cannot tell you his politics.

Question. What is C. E. W. Collins ?

Answer. Conservative, democrat.

Question. What is A. Grant ?

Answer. Republican.

Question. What is C. B. Simmons ?

Answer. A republican.

Question. What is G. Bush ?

Answer. I think he is a republican ; I am not certain.

Question. What is Thomas Lancaster ?

Answer. I think he is a republican.

Question. What is F. Franklin ?

Answer. I am rather inclined to think he is a republican.

Question. What is Miles Price ?

Answer. He is a conservative.

Question. What do you mean by conservative ?

Answer. A democrat.

Question. What is J. G. Thompson ?

Answer. I think he is a republican.

Question. What is J. N. Haddock ?

Answer. He is a democrat.

Question. What is John Westcott ?

Answer. A democrat.

Question. What is E. Hopkins ?

Answer. He is a democrat.

Question. What is C. B. Wilder ?

Answer. A republican.

Question. What is F. J. Wheaton ?

Answer. He is a democrat.

Question. What is N. A. Hull ?

Answer. A democrat.

Question. What is B. Upton ?

Answer. I do not know.

Question. What is H. Robinson ?

Answer. I do not know what Robinson is.

Question. T. T. Long is yourself. What is S. Fairbanks ?

Answer. He is a democrat.

Question. What is A. Bateman ?

Answer. I do not know.

Question. What is B. Tatem ?

Answer. I do not know.

Question. What is T. Altman ?

Answer. I do not know.

Question. What is E. N. Lee ?

Answer. He held an office under Governor Reed. I do not know what his politics are.

Question. What is S. T. Turnbull?

Answer. A democrat.

Question. What is W. Gwynn?

Answer. He is a democrat.

Question. What is C. E. Dyke?

Answer. A democrat.

Question. What is E. J. Vann?

Answer. A democrat.

Question. What is R. H. Willard?

Answer. I suppose he is a democrat.

Question. What is S. O. Swann?

Answer. A democrat.

Question. What is J. T. Wilson?

Answer. A republican.

Question. What is J. A. Purviance?

Answer. I do not know.

Question. What is J. F. White?

Answer. A democrat.

Question. What is J. H. Sutton?

Answer. A republican.

Question. What is A. H. Terrill?

Answer. I do not know his politics.

Question. That is the convention that passed these resolutions?

Answer. Yes, sir.

Question. You say there have been no cases before your court, except one, in which you are satisfied there was politics?

Answer. There may have been some others, but I saw nothing of it in the evidence.

Question. You have received information from Jackson County?

Answer. I have.

Question. From whom?

Answer. From different gentlemen. My brother resides there.

Question. What is his politics?

Answer. I think he has not much politics, but money.

Question. What was his course during the war?

Answer. He was a Union man, and was captured at Marianna, and staid away during the war.

Question. Who captured him?

Answer. The Federalists.

Question. Captured by his own friends?

Answer. I do not say so.

Question. You say all the difficulties in Jackson County have originated from Purman and Mr. Hamilton?

Answer. Governor Reed made that remark.

Question. When?

Answer. In Tallahassee, when the friends of Mr. Dickinson came to him.

Question. To whom did he make it?

Answer. A number of gentlemen in town.

Question. He did not make it to you?

Answer. No, sir; but I do not think he will deny it.

Question. What had Purman done to create that trouble?

Answer. Exasperated the people there for their own benefit.

Question. Exasperated them to kill the negroes?

Answer. I do not say so.

Question. How many homicides have been committed there since the war?

Answer. A great many.

Question. Have there not been nearly a hundred?

Answer. I have heard that there have been a great many; I cannot say how many.

Question. You think those homicides were exasperated by these men Purman and Hamilton?

Answer. I think they had a great deal to do with them, from what Governor Reed said.

Question. Those men did not talk to the democrats?

Answer. I do not know that they did.

Question. They were not democrats?

Answer. Who were not?

Question. Purman and Hamilton.

Answer. No, sir.

Question. They talked to the negroes principally; that is the charge against them, is it?

Answer. I suppose so.

Question. Have the negroes committed these homicides?

Answer. I do not know who committed them; I was not there. I said but one came before me officially that I thought was political.

Question. Who told you that he believed Mr. Dickinson was killed by a colored man of the name of Bryant?

Answer. I have heard it from several gentlemen.

Question. Tell me one.

Answer. I could probably name more than one.

Question. Name one at first.

Answer. I think Colonel McClellan was one.

Question. That is the father of the girl who was killed?

Answer. Yes, sir.

Question. Tell us another; did Coker tell you so?

Answer. I do not know that he ever told me; I do not recollect.

Question. Let us have another name.

Answer. I think McClellan was one. I met him at Tallahassee afterward. I really cannot think who they were. It was general talk—so general that I cannot give the names.

Question. Well, we have McClellan for one.

Answer. That is my recollection at present.

Question. You cannot give any other?

Answer. Not now.

Question. McClellan charged that Dickinson was killed by Bryant for having been guilty of improper familiarity with a colored woman?

Answer. I said that was the general report and rumor throughout the State at the time.

Question. What was the report?

Answer. That Dickinson was killed for having connection with a negro woman.

Question. What relation had Bryant to the negro woman?

Answer. I do not know; he may have been her husband.

Question. Did you ever hear a republican make that charge against the memory of Mr. Dickinson?

Answer. I do not know that I have.

Question. You have heard plenty of democrats make it?

Answer. I have heard a great many say so. I do not know whether they were all democrats or not.

Question. Has there been any attempt made to bring Bryant to trial and punishment in that county?

Answer. I think I heard he had been arrested, but I am not certain.

Question. That he had been tried?

Answer. I do not know that he has been indicted, but I think I heard something was done.

Question. You saw something in the newspapers, you say, about a party of colored people going to a picnic, and being fired into?

Answer. Yes, sir.

Question. You think a preacher was shot?

Answer. I think so.

Question. Do you not know that a father with his child in his arms was killed, and that the child was killed, as they were going along the road?

Answer. I heard that some were shot.

Question. Did you ever hear of anybody being punished for that?

Answer. No, sir.

Question. Did you understand that Purman and Hamilton were responsible for that?

Answer. I only speak of the excitement that first started these things.

Question. What first started it?

Answer. Exciting the colored people against the white people.

Question. In what way; anything more than to vote against them?

Answer. Yes, sir; telling them that they were their former owners; that they were slave-dealers, and all such stuff.

Question. Is that any reason why the white people should kill the negroes?

Answer. I do not know that they did kill them.

Question. Am I to understand you as saying that these homicides were generally of colored people?

Answer. The most of them.

Question. And that the black people were killed because they had been taught to array themselves against the white people?

Answer. I only tell you what Governor Reed said about it.

Question. Do you know whether he said that or not?

Answer. Yes, sir; I am satisfied from what the gentlemen told me that he did.

Question. You did not hear it?

Answer. I have given a great deal here that was not stated to me.

Question. Do you know anything about a man of the name of Fleischman killed there?

Answer. I have heard of it.

Question. Why was he murdered?

Answer. I do not know.

Question. Did you know him?

Answer. Yes, sir.

Question. What sort of a man was he?

Answer. I suppose I knew the same man; he traded in Quincy; had a store there. There were two brothers; one died in Ohio, or somewhere else, and the other went to Marianna.

Question. You do not know what he was killed for?

Answer. I have heard a rumor.

Question. What was that?

Answer. That he got into some difficulty with the white people.

Question. What was the difficulty?

Answer. I do not know.

Question. And the white people had him killed?

Answer. I do not know who killed him.

Question. Was there anybody killed before that time? Did you ever hear of a clerk of the court being killed?

Answer. No, sir, I never heard of the clerk of the court being killed. I have heard of a clerk of the court killing a man.

Question. In Jackson County?

Answer. No, sir.

Question. I mean did you ever hear of a clerk of the court in Jackson County being shot down as he was crossing the square?

Answer. I heard that Dickinson was killed.

Question. Did you never hear of Doctor Finlayson being killed?

Answer. Yes, sir; I do not recollect that he was clerk of the court at the time.

Question. How did you understand he was killed?

Answer. I understood that he and Major Purman were walking across the street and were shot at.

Question. Did you understand that he had been keeping some colored woman, or something of that sort?

Answer. I do not; I do not believe he ever did.

Question. What did you hear said against him?

Answer. I never heard anything alleged against him.

Question. He was a republican?

Answer. I suppose so.

Question. A prominent republican?

Answer. A very promising young man, I think; a very clever young man.

Question. Mr. Purman was a republican?

Answer. Yes, sir.

Question. Mr. Dickinson was a republican?

Answer. Yes, sir.

Question. Do you wish us to understand that, in your opinion and belief, this immense number of homicides were occasioned by the teachings of Mr. Purman and Mr. Hamilton?

Answer. I say that Governor Reed stated to Mr. Purman that the cause of these killings in Jackson County, and the death of this man, were traceable to the teachings of him and Mr. Hamilton, in Jackson County.

Question. He said that to Mr. Purman?

Answer. So I understand; I do not know anything about it, only what I have heard.

Question. Is it not very strange that, for all these homicides there, no body has been punished?

Answer. It is very strange, and very wrong.

Question. How do you account for it?

Answer. I do not know how to account for it.

Question. You have been speaking of the officers of the State government as being extravagant?

Answer. Yes, sir; I think so.

Question. In what has the extravagance consisted?

Answer. The pay of the officers is extravagant, and we have more officers than we ought to have; more circuit judges than we ought to have; more officers around the

capital than we ought to have; and they are paid too much in proportion to the treasury of the State.

Question. That is what your idea of extravagance is?

Answer. Yes, sir.

Question. How many circuit judges have you?

Answer. Seven.

Question. For the whole State of Florida?

Answer. Yes, sir.

Question. From the amount of crime that has been testified to before us, and the very few punishments that have taken place, I think you ought either to have a few more, or not any at all.

Answer. That is a mere matter of judgment; I have a very good circuit.

Question. Is Duval County in your circuit?

Answer. Yes, sir.

Question. Did you hold court in that county last July?

Answer. Not last year; I came into the circuit in July or August; I held court here last summer once.

Question. What was the last court you held in Duval County?

Answer. I held court here in May, June, and July; nine weeks, I think.

Question. When did your term begin?

Answer. The jury was drawn wrong at the first term and had to be drawn over again.

Question. How many criminal cases did you have on your docket?

Answer. I do not know.

Question. You do not know the state of your own docket?

Answer. We did not begin to get through it.

Question. How many criminal cases on it?

Answer. I think five murder cases; I did not pay any attention to the others.

Question. How many criminal cases were tried?

Answer. No murder cases, but a number of other cases were disposed of.

Question. Is Clay County in your circuit?

Answer. Yes, sir.

Question. When did you last hold court there?

Answer. Two or three weeks ago.

Question. When you were there, did you hear anything about the case of a man of the name of Sam Tutson?

Answer. Yes, sir; I issued a warrant for them and turned it over to the commissioner.

Question. Did the grand jury have that case before them?

Answer. I do not think the old man came there until after they were through; I did not see him until after the court had adjourned. He came to me and made complaint, and I issued a warrant for the arrest of the parties.

Question. Were they arrested?

Answer. I turned the warrant over to the marshal here; I issued a warrant for seven or nine—two colored, and five or seven white.

Question. Was anything done in that county with those parties?

Answer. They were taken before the United States court.

Question. Did not your grand jury fail to find or refuse to find indictments against those parties for the injuries done to Tutson and his wife?

Answer. I was not aware the case went before them at all; if they had done so, and it was brought to my notice, it would have been severely punished by me.

Question. You know but little about crimes in this country until they are brought before you for trial?

Answer. I hear of them.

Question. I understand you cannot tell how many criminal cases are on your docket in this county?

Answer. I do not know now; I can find out.

Question. Do you know any more about criminal cases outside of the court-house than you do about those in?

Answer. If any case was reported to me I would issue a warrant for the party, and have him arrested and turned over to the justice of the peace to be bailed, or refused to be bailed, or discharged.

Question. You have spoken of legislation which you say was reckless; tell us about some which you regard as reckless.

Answer. I regard the passage of this present code as reckless. It is not so made as to be consistent at all with existing laws. I look upon the law in regard to the board of equalization; the act of the legislature disposing of great quantities of the lands of the State, or consenting to it, for railroad purposes; the act of the legislature which requires the people to pay a tax for military purposes when there is no military needed in the State, for we have the United States military here; I think that is reckless. I think the legislature has been reckless in making an appropriation of bonds and appropriating money; I do not think there is any degree of economy at all in it.

Question. Do you know of any warrants having been issued against certain parties charged with counterfeiting, which warrants were lodged with the United States marshal?

Answer. Yes, sir.

Question. Who were those parties?

Answer. I issued a warrant for Nobles, Sweet, and I think another man who has been sent to the Dry Tortugas.

Question. Did you ever say anything to the United States marshal about giving up those warrants?

Answer. No, sir; not that I know of; give them up to whom?

Question. Did you ever say anything to him about letting them be taken, stolen, or otherwise got out of his office?

Answer. No, sir; I steal the warrants? No, sir.

Question. I did not say that; but did you say anything about his letting them be stolen?

Answer. No, sir.

Question. Did you ever offer to let him have any money if he would contrive to let the warrants be stolen out of his office?

Answer. No, sir; I wish he was here and you would ask him.

Question. You have been a judge here in all these various circuits, and have kinsmen all over the State?

Answer. I have but one brother in the State; I have some consins.

Question. You have kinsmen in the State and are largely acquainted in the State. I wish you would tell us how it has been that such a number of the leading prominent republicans in this State have been put to death within the last two or three years, and nobody has been arraigned even, much less punished, for the commission of such crimes.

Answer. I can only speak of my own circuit. If any republican has been put to death in my circuit, the parties have been indicted and brought to justice as far as in my power or the power of the law to do it.

Question. As to the condition of things in other parts of the State, you cannot give any information?

Answer. I can give only what I have heard, as I said at the time.

By Mr. BAYARD:

Question. You were asked a great deal about this tax-payers' convention, and the names of the delegates were read over to you. I want to ask you whether the very great majority of the tax-payers of this State are not members of the democratic or conservative party?

Answer. Well, so far as I know, in the circuits where I have been, a very large majority of them are.

Question. I understand that the colors of this State, black and white, are pretty nearly equally divided.

Answer. I think the whites in the State have from 1,000 to 1,500 majority.

Question. I understand that the negroes are almost to a unit republicans?

Answer. With some few exceptions.

Question. I will ask now whether the property of the State, the lands of the State, are not chiefly owned by the white people?

Answer. Yes, sir.

Question. They, of course, pay the taxes?

Answer. Yes, sir; the taxes on property.

Question. What proportion of the white people in this State do you suppose are republicans; is it not a very small proportion, indeed?

Answer. The calculation made before the last election was that there were about 400 or 500 northern men who were republicans, and about 1,500 or 1,600 southern men who were republicans.

Question. White men?

Answer. Yes, sir; I think that is a very correct calculation.

By Mr. SCOFIELD:

Question. How many voters in all in the State?

Answer. I do not recollect; I only recollect something about the republican vote.

By Mr. BAYARD:

Question. The payment of the taxes is to be borne by the white people?

Answer. Yes, sir.

Question. And of that the party that embraces the most of them has the most to pay.

Answer. The party with the most property has the most to pay.

Question. I understand that the democrats have had nothing to do in the State government for many years?

Answer. The republicans have been in the majority.

Question. They have had the control of the State ?

Answer. They have of the legislature, if you call that the control of the State.

Question. Under your system the governor has the appointment of all the local officers of the counties, except the constables ?

Answer. I think so ; I do not know but he has that in certain cases ; in the event that they are not elected, I think that he has then the power to appoint.

Question. In regard to elections ; the county commissioners, I understand, are appointed by the governor ?

Answer. Yes, sir, that is a requirement of the constitution.

Question. And the elections are held under their directions ?

Answer. Well, they designate the precincts and the parties to hold the elections.

Question. When the ballots have been cast and the election closed, into whose custody are the poll-books given ?

Answer. I think they are left in the hands of those who are appointed to hold elections until the ballots are counted out ; I think the law requires that they shall remain in their control until counted out.

Question. Are they generally throughout the State men of one party ?

Answer. I cannot speak of that ; I cannot tell you ; I think that in some counties they are divided.

Question. As a rule is it generally the case that they are of one party ?

Answer. A majority of the officers may be of one party.

Question. How long were they counting out the votes cast at the election ?

Answer. I do not know ; I was holding court.

Question. How long before the result was declared in the State ?

Answer. There was some stoppage in the declaration of the votes, on account of the returns not coming in, or the decision of Judge White, or something suspending it.

Question. Were not the votes of a great many precincts thrown out ?

Answer. Where ; at Tallahassee ?

Question. Yes.

Answer. I have heard so ; I do not know anything about it.

Question. Were not enough democratic votes thrown out to change the result of the election ?

Answer. That is the rumor ; I do not know how true it is.

Question. Who were the board of canvassers ?

Answer. Mr. Gibbs was one.

Question. Who is he ?

Answer. He is the secretary of state.

Question. Is he a colored man ?

Answer. Yes, sir.

Question. Who were the others ?

Answer. Mr. Gamble was another, and I think the attorney general was the other one.

Question. Have they the control of the question whether the votes of precincts or districts should be received ?

Answer. I think they have.

Question. You do not know what votes were thrown out by them ?

Answer. I do not.

Question. To the best of your information, what number of votes were rejected ?

Answer. Well, if you go into that, I can only tell you what people have told me.

Question. Credible persons ?

Answer. I have heard Judge Niblack say so, and I think I have heard a great many others say so ; I do not recollect who they are.

Question. What did they tell you ?

Answer. They said that enough was thrown out to secure the election of Mr. Walls, and enough thrown out to secure the election of Judge Tate.

Question. That was by the attorney general, the secretary of state, and the comptroller ?

Answer. Yes, sir.

Question. How many weeks did it take to do that ?

Answer. I cannot tell ; it was some time.

JACKSONVILLE, FLORIDA, November 13, 1871.

J. C. GIBBS (colored) sworn and examined.

By the CHAIRMAN :

Question. State your age, where you were born, and where you now reside.

Answer. I am about forty-two years years of age ; I was born in Philadelphia ; and I now reside in Tallahassee, Florida.

Question. How long have you been living there?

Answer. I came into this State in 1867.

Question. And you have been living in Tallahassee all the time?

Answer. For the best portion of the time. I lived down on the river for awhile, until I was made secretary of state, and then I removed to the capital.

Question. What do you know of an organization in this State that is commonly called the Ku-Klux?

Answer. I have seen some men that I have reason to believe belonged to that organization. I have seen one man who told me himself that he was a member of the Ku-Klux.

Question. Who was he?

Answer. His name was Mark Richardson.

Question. In what county did he live?

Answer. In Taylor County.

Question. Was he a white man?

Answer. Yes, sir.

Question. Did he give you any account of the organization?

Answer. He did. He said that he knew where the regalia was, and that he had attended their meetings. I telegraphed to the United States commissioner to come up and take his statement concerning the matter. Some four or five others came in with him from Taylor County at the time, and complained that a body of men had come into Taylor County with a flag with three Ks on it; that they had alarmed the people very much; had committed some acts of violence; and, among others, that this man himself, Mark Richardson, was odious to them for some reason or other, for the reason that he was a republican, they believed, and therefore they wished to squelch him. He was as badly frightened and as uneasy as any man I have ever seen for a long while. I believe his statement was correct; but when he came before the commissioner, Judge Grunwell, he refused to take his testimony on this ground: He asked him when he was in the lodge last, and he said about thirteen months ago; and he asked when he saw that regalia and these men, and he said about the same time. And the commissioner said he would not take his testimony, because the law authorized him to take notice only of that which had taken place since that time; and he went on to state that it was contrary to usage to legislate backward; that was the pith of what he said.

Question. When did Richardson have this talk with you?

Answer. He had this talk with me probably two months or two months and a half ago.

Question. Have you in your position as secretary of state any information from other counties?

Answer. I have.

Question. What is the character of that information?

Answer. I have in my pocket now a letter that was written to me by Captain Dickinson just a month before he was killed; it was when the idea was first broached of this committee. I wrote to Mr. Dickinson, as the clerk of the county, to give me his views of such outrages as had taken place in a reliable form, so that I might lay them before this committee. I wrote to him, and I wrote to many others in this State in that way, asking them to state what outrages had occurred, and to be careful and state just what could be proved. Captain Dickinson wrote me that letter, and it was not more than a month afterward that he was killed. There is another thing that I wish to say just at this point; that is, I believe Mr. Dickinson was as pure a man in his life, and as perfect a gentleman, as is to be found anywhere. I take pleasure, in connection with the matter, to call attention to that fact. He was a religious man, a good man, a man of pure life. I do not think there was really a man in Florida against whose moral character less could be said. He was a high type of a gentleman, a graduate of Harvard College, a man of large experience of men. Any man who will read this letter can see pretty clearly what kind of a man he was.

[The letter referred to is as follows:

“MARIANNA, JACKSON COUNTY, *February 23, 1871.*

“SIR: Your letter of the 14th instant, requesting certain information as to outrages committed in this county since reconstruction, as to the spirit of the press, &c., &c., was received last night; the high water on the Apalachicola River delayed the mails.

“I regret the fact that outrages upon loyalty in this county are always so vivid a reality of the present and so fearful a probability of the future that we have failed to think of the past. I cannot, without considerable time and research, give you any history of the different terrible scenes through which I have passed here.

“You intimate that your information must be immediate, and I will give you the best views of the situation I can under the circumstances. Since reconstruction there have been about seventy-five persons violently killed in this county; and more than nine-tenths were republicans, and nearly nine-tenths colored.

"Practically the civil rights of the colored man are subordinate to those of the white man. The press has been and is disgustingly uncandid, abusive of everything republican, and at times openly seditious.

"Human life is counted cheap when passion or politics call for its sacrifice, and the frequency and cold blood which have characterized our murders has not been to me so fearful a fact as the carelessness with which the public learn a new outrage.

"Public sentiment is terribly demoralized in this direction. Within the last few days our sheriff has been shamefully beaten on the public streets and two colored men fatally assaulted. Neither of them are yet dead, but I believe no hopes are entertained of their recovery. For myself, I blush to say that, for nearly three years, I have managed to live here only by dexterously compromising the expression of my opinions, and by a circumspect walk. To say that the colored man here has, through my agency, uniformly obtained even-handed justice, would be a lie!

"To say that I have striven, even to a loss of self-respect, and several times by incurring personal danger, to do the best thing under the circumstances, is but to tell the whole truth. If more particular information is required, I shall require time to prepare it.

"Very respectfully,

"J. Q. DICKINSON.

"Hon. J. C. GIBBS, *Secretary of State*.

"P. S.—One of the colored men I mentioned died last night, and I have held an inquest to-day. Verdict, Unknown! Everybody in the county knows the murderer; he has left for Alabama. I learn just now that the other man is dead, and I also hear it disputed.

"I shall immediately investigate.

"In haste,

"J. Q. DICKINSON."]

Question. It has been testified here this afternoon that it was very generally reported out there in Jackson County that Captain Dickinson was killed by a colored man of the name of Bryant, and that the killing proceeded from his having criminal connection with a colored woman in his employ.

Answer. I have not the least hesitancy in saying, in connection with that matter, that I believe that to be untrue in every particular; I believe that story was got up simply for the purpose of scandalizing the man; I believe it a vile act of injustice to the man's memory. If I thought there was anything in it I would as frankly say so as any one.

Question. You are satisfied it is a calumny for the purpose of screening the guilty?

Answer. Yes, sir, perfectly so. I have seen the man many times; I have talked with him; I have seen him under circumstances that were very trying up there in Jackson County, in the face of those men; I know something of his life up there in that very respect. Why, sir, for months before he was slain it was a common thing—we all knew it; I talked with him about it and he talked with others concerning the matter—it was a common thing to say that he would be slain.

Question. State whether this is a solitary instance where a republican has been put to death, and then his memory blackened by the accusation of some crime?

Answer. No, sir; it is a common thing. Let me say another thing just on this point. Inasmuch as it is considered a very disgraceful thing socially here, or among refined people, civilized people, to have a scandal of that kind started against their memory in connection with women, I have noticed that as a general thing when a man is politically obnoxious and is cut off or anything of that kind, immediately they say there is a woman in it.

Question. Have you information of acts of violence from other counties?

Answer. Yes, sir, I have a number of letters in my possession; here is a brief abstract I have made from letters concerning outrages and murders that have been committed in some eight counties; and that is not all. I am certain, to the best of my belief, that I have understated the matter. You will see at the head of this list that I set down one hundred and fifty-three murders in Jackson County. I have stated that publicly in a speech here over a year ago, that that number of murders had taken place in Jackson County. Many persons have spoken about it here in this city, and I was told by Mr. McMillan that he had an account of one hundred and eighty-three murders in that county; I have put it at one hundred and fifty-three; my speech was published in the papers at the time, and a number of public men have asked me if I really believed that was the case, and I told them what I thought was the honest statement in the matter.

The following is a brief abstract of the number of murders committed in the several counties mentioned, from letters in the office of secretary of state of Florida, since reconstruction: Jackson County, 153; Madison County, 20; Columbia County, 16; Taylor County, 7; Suwannee County, 10; Alachua County, 16; Lafayette County, 4; Hamilton County, 9.

Question. What is the condition of your people generally in this State?

Answer. Notwithstanding the difficulties that have occurred, I really believe that the colored people of Florida are better off than they are in any other Southern State; I believe there is more liberty, more personal freedom for them here; that they are doing better, notwithstanding there has been that slaughter. I think that so far as the whites are concerned, the poorer class of whites, I honestly believe to-day that there is a large class of whites who are in a more hopeless condition in Florida than the blacks are, and particularly in the counties of Taylor, Lafayette, Sumter, and counties of that description, in which there lived during the war a class of men known as Union men. In Taylor and Lafayette Counties there took place what was called the Campfield raid. There were a number of men who ran away from the confederate army and went to their families in Taylor and Lafayette counties. The troops made a raid on those people, burned up their houses, drove them out, took the wives and daughters of those men and carried them off, and put them in a stockade near Tallahassee, where they suffered very much. Now, in those counties at the present time, the persecution that has been carried on there is between what we call the democracy and the Union men. They swear that no Union man or republican shall live in those counties. Mr. Kreminger was killed there. Many times he has said to me that those men had sworn that no Union man should live in that county. He said over and over again that at times he was very much alarmed. At one time he wrote to me that they had threatened to burn his house and shoot him as he ran out.

Question. How about schools for your people?

Answer. We have at least two schools in this State that are rather above the average of common schools among the freedmen; they are doing in that particular pretty well in view of the circumstances.

Question. Where do you get your teachers?

Answer. The most of them come from the North.

Question. How are they received by the citizens here?

Answer. They are badly received. I think we have thirty-one schools open in Leon County; there are a number of white teachers there, and they are ostracised altogether; the people do not recognize them, have nothing to do with them, and talk of them as though they were the offscouring of the earth; that is a common thing.

Question. What is the feeling among the same class in respect to people of your color owning land?

Answer. I think the feeling in that respect is moderating; I think the opposition to their owning land is not so great as it was some time ago. I think there is a change in many respects for the better; it is coming around slowly; I think there is a marked change observable.

By Mr. BAYARD:

Question. You lived in Philadelphia?

Answer. Yes, sir.

Question. What was your occupation there?

Answer. I lived there when I was about sixteen or eighteen years of age, and went to school; I was educated in Dartmouth College, in New Hampshire, and I studied theology at Princeton, New Jersey.

Question. With whom?

Answer. With Dr. Hodge and Dr. Alexander.

Question. Were you in the theological institute there?

Answer. Yes, sir.

Question. Did you graduate there?

Answer. I did not; I was there for nearly two years; I was a regularly matriculated student.

Question. You came from there to Florida?

Answer. No, sir; from there I went to Philadelphia, and was a pastor of a Presbyterian church there. I remained there until about the time that General Burnside took New Berne, and then I was selected by the Old School Presbyterian Church to come down here and take charge of the scattered members of the Presbyterian Church, and open schools and churches for them. I came down and operated in North Carolina and South Carolina until the latter part of 1867, and then I came into Florida. The original idea of my coming into Florida was in connection with the school interest here. I was elected as a delegate to the constitutional convention.

Question. You are a regularly ordained clergyman?

Answer. Yes, sir. I was elected as a delegate to the constitutional convention; I felt interested in the reorganization of the State, and took hold earnestly at that time. There was a necessity for men to take hold, and I did so, and became interested in politics from that point of view. When the organization of the State took place I was chosen as secretary of state, and have been acting as such ever since.

Question. You came here in 1867; when was the convention?

Answer. In 1868.

Question. You went at once into political life here, and have remained in it until this time?

Answer. Yes, sir.

Question. You were a delegate to the convention of ministers and laymen?

Answer. Yes, sir. That was a convention of the Methodist Church. As a general thing, I am expected to attend these meetings and conferences, both of the Baptists and of the Methodists; I generally go there for the purpose of urging upon the ministers this school matter and homestead matter. I make it a point to attend the conventions for that purpose. In that way I can conveniently get at men all over the State.

Question. I observe that you attended that convention and took part in their deliberations.

Answer. Yes, sir.

Question. And you approved of their action?

Answer. As a general thing I did.

Question. All the resolutions that they adopted, &c.?

Answer. Some of them I did, and some I did not. There was one resolution that I do not exactly indorse. I was not present at the time, but I have spoken to several about it since. It was in relation to a statement made by Governor Reed there about his inability to protect loyal men in this State. I spoke about that to Bishop Pearce to-day. I understood Governor Reed to say that in view of the difficulties that were about him, unless matters changed and assumed a more favorable aspect, he did not see how he could protect loyal men. It was a sort of a prospective statement. That was the idea to my mind at the time. I did not understand him to say directly to that convention that he could not protect them. It is true that in some instances I have felt that the State government has not been able to protect loyal men in this State, both white and colored. At times there has been great fear manifested. I think we have between 6,000 and 7,000 republican majority in this State; but at the present time, with the fears that have been brought to bear upon the people, I do not believe that we could have a clear majority of votes polled in this State. Take Jackson County, for instance: at the first election there there were 200 white men who cast their votes with the republican party; we had a majority in that county of 800. At the last election that took place there there was a bare republican majority of two or three. The most of the white republicans have run away out of the county. I do not believe there were five white men in Jackson County who voted the republican ticket. I know of an instance in Wakulla County where a number of white men who called themselves Union men came to Governor Reed and said that they desired to cast in their lot with the republican party, but they were afraid. I went down into Wakulla County, and those men promised to meet me there and have a meeting, but they did not come near me. A few days afterward they came to Tallahassee, and we asked them why they did not come, and they said that they were afraid; that there was not a white man in the county who dared to go out to our meeting.

Question. I observe that you state that you have made up this list of murders in the several counties from letters in the office of the secretary of state.

Answer. Yes, sir.

Question. Those are letters written by private individuals to you?

Answer. Yes, sir; letters written by private individuals, but generally by prominent men; some of them have been members of the legislature; they are well-known men in those counties—men who have been in prominent positions.

Question. Did they give you the numbers or the names merely?

Answer. Well, they gave me the names in a number of instances; in other instances they gave just the number. In some instances they would specify particular cases by name. In Alachua I think all the names were given; in several other counties a number of names were given; in other counties only the number of cases.

Question. Did they give you the names in the county of Jackson?

Answer. No, sir; they did not give the names. If you will observe, in that letter of Mr. Dickinson, he speaks of seventy-five men killed, but he does not give me the names even of those two men who were at that time wounded, and who, he says in a postscript, had died.

Question. This information is from private sources by letter to you?

Answer. Yes, sir; though some of the men are public men.

Question. You say these murders have occurred since reconstruction, from 1863 to 1871?

Answer. Yes, sir; I am very certain that I went under rather than over the mark.

Question. That is your opinion?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 13, 1871.

LEMUEL WILSON recalled.

By the CHAIRMAN:

Question. I desire to ask you what you know in regard to disorders in Lake City?*Answer.* My knowledge of any disorders that occurred there arises from what I heard when on the grand jury.*Question.* State your information as briefly and succinctly as you can.*Answer.* There was a great deal of confused testimony that I cannot distinctly remember; but the material facts that impressed me—*Question.* Endeavor to state the facts rather than to repeat the testimony.*Answer.* The fact was, that there was a parcel of men who lived in the county, several miles from town, who came in on horseback the evening previous to the election, in a very excited manner, hollering, yelling, cursing, and inquiring for radicals; they galloped on through the town, and rode all around through the town, and made a terrible noise; that excited the fears of a great many persons. During that night, not long after night set in, I think, they encountered some colored men on the pavement; I believe they were colored men who had come in the evening previous to the election, and had formed a procession in a church, and were moving up town peaceably, when they encountered a number of these men on the sidewalk, some half a dozen or more, perhaps; the colored men, it seems, turned out and passed around them in the middle of the street; perhaps one or two pistols were fired. Subsequently, on their return, there was considerable firing; I never heard that any one was killed; I think I heard that one was shot, but I do not know who. The result of the whole matter impressed me with the opinion that there was an attempt made rather to intimidate the voters than to do any particular injury; I think that was the testimony before the jury, that several were intimidated and returned home that evening without waiting to vote the next day.*Question.* Did you understand that those parties who came in there were armed?*Answer.* Yes, sir, with pistols; I do not know that any of them had shot-guns.*Question.* And that the aggression was from them?*Answer.* Yes, sir.*Question.* Did you understand that the other side had met with any interruption at all?*Answer.* No, sir; the colored people who had been attending the same speechification at the church were in procession moving up town very peaceably; and although there were great numbers of them they turned off the sidewalk in order to avoid a collision with the white men, who would not give way.*Question.* They were assailed both going and returning?*Answer.* Yes, sir; that is my recollection of it; it was only the rear part of the procession that had any collision on their first meeting with these white men, but I understood that it was the white men who first commenced the difficulty, though there was a great deal of firing subsequently, perhaps on both sides. It created a great deal of excitement in the town.*Question.* I believe you said something this morning in reference to Mr. Dickinson, who was killed last spring. Since you were before the committee, we have had testimony to the effect that, after his death, it was charged that he was killed by a negro of the name of Bryant, and that he had been living unlawfully with a colored woman who was in his employ. Do you know anything about any such charge?*Answer.* No, sir; I think there was some such insinuation made in some papers at the time, that the murder was in revenge on that account, that he was supposed to be intimate with some colored man's wife; I never heard much of it after it first appeared, and I think the charge was dismissed.*Question.* I wish you would state whether it has been very commonly the case in reference to these political murders, that some such accusation has been made against the victim after he was dead, to excuse the act or to turn aside public inquiry?*Answer.* I do not know of any other case of murder except that in which the purpose was not known—yes, there was a hanging of a colored man at Gainesville not long ago, last January, I think; he was taken from the jail and hanged by some parties; I think the grand jury of the county had the matter before them, but never ascertained who did it; no true bills have ever been found against any one for that.*Question.* In regard to the great number of colored men who have been killed, state whether or not it has been very common to charge them with having insulted a white lady, or something of that kind.*Answer.* I have heard such charges made frequently.

JACKSONVILLE, FLORIDA, November 13, 1871.

JOS. JOHN WILLIAMS sworn and examined.

By the CHAIRMAN :

Question. State your age, where you were born, where you now reside, and what is your occupation.

Answer. I am thirty-nine years of age; I was born in North Carolina; and I now reside in Leon County, in Tallahassee; I am a planter.

Question. How long have you lived there?

Answer. Nineteen years.

Question. It has been testified here before the committee that you are at the head of an organization in this State known as the democratic club.

Answer. Young Men's Democratic Club; not at the head of the organization in this State; that is a mistake.

Question. In the county of Leon?

Answer. Well, yes, sir; I am what is called the central chief there.

Question. Who is the president of the club now?

Answer. Well, the club is not in existence now; Judge Queen was at one time, and Mr. Brokaw; that is, of the club at Tallahassee; there were three clubs in the county.

Question. Who was president of the one at Tallahassee?

Answer. I think the last one was Captain Brokaw.

Question. Who were the two vice-presidents?

Answer. I do not know; I have forgotten if they ever had any.

Question. Who were the executive committee?

Answer. I was chairman of the democratic executive committee in the county.

Question. I mean of the executive committee of the democratic club.

Answer. Well, I really cannot tell you; I have forgotten; it was twelve or fifteen months ago, and I never expected to be questioned about it.

Question. Where were your meetings held?

Answer. In Tallahassee.

Question. In what part of Tallahassee?

Answer. Do you mean in what room?

Question. Yes.

Answer. In a room over Hopkins's store.

Question. How often did you meet?

Answer. Every Saturday.

Question. Did you attend the meetings pretty regularly?

Answer. Sometimes; not very regularly; there was no necessity for it.

Question. How generally over the State of Florida did the organization extend?

Answer. I cannot say beyond my own county; I do not know whether they had any in other counties or not.

Question. Do you know whether the organization contemplated a chief for the State?

Answer. I never heard it in connection with the State organization; I suppose if it had existed long enough it would have been so, but it was not so.

Question. Were there chiefs for either of the three divisions of the State, western, middle, and eastern?

Answer. No, sir.

Question. Were you chief of a county?

Answer. Yes, sir, of the Young Men's Democratic Club of Leon County.

Question. Were you subdivided into hundreds and fifties and tens?

Answer. Yes, sir; the same plan that now exists in the State of Virginia; I believe that Extra Billy Smith is at the head of exactly the same organization.

Question. Was there an oath at initiation?

Answer. Yes, sir, I believe there was.

Question. What was the character of it?

Answer. It was an oath of secrecy; that was about all.

Question. Please look at this book or pamphlet and see if it is a constitution of your order. [Handing witness the manuscript pamphlet furnished by Frank Myers.]

Answer. If I had known what I was looking for I could perhaps have obtained one and brought it here. [After examining the manuscript pamphlet,] I do not recollect now about this vice-president business exactly; but this looks to me like the plan of it; I could not say whether that was exactly the same or not; it was something like this.

Question. I understand you to say that there is a similar organization in Virginia.

Answer. So I see published in the journals, in the Richmond papers; my attention was called to it.

Question. I find in this constitution as section 3 this provision:

"There shall be an executive committee consisting of five discreet, active, energetic members."

What had that committee to do?

Answer. Well, sir, I think the committee of five had to suggest business for the transaction of the club, as far as I recollect.

Question. Section 6 of this constitution provides:

"The president and vice-presidents and executive committee shall constitute a committee of observation and safety, of which the president shall be chairman."

Answer. Yes, sir.

Question. What had that committee to do?

Answer. Well, it was to organize business, as I have said before, for the action of the club.

Question. I understood that was what the executive committee had to do.

Answer. I thought that was what you were speaking of.

Question. I am speaking of the committee of observation and safety.

Answer. I have forgotten what were really their duties; I know it was pretty much to lay out a plan of action in the campaign; it was an orderly organization, everything connected with it, and if it had not existed in our county we would have had trouble; but through this organization a great deal of trouble was avoided.

Question. Section 7 of this constitution provides:

"All matters pertaining to such service shall be referred to this committee of observation and safety, and the names and duties of the secret service committee shall be known only to the said committee and their various chiefs."

What is this secret service here referred to?

Answer. I do not know; I have been trying to think what the secret service was. There was nothing secret, so far as I ever was aware of, except in this organization in our county.

Question. Did you belong to the secret service committee?

Answer. I was at the head of the club, but it was over two years ago that this organization existed; I think in 1868 and 1869. I have never read that constitution, if that is the one we had; there were very few members belonging to the club when I joined it; I was one of the first that joined it.

Question. Did you take a very active part in the organization?

Answer. I would have done so if there had been any necessity for it; but it was all a one-sided affair in our county.

Question. Did you, in fact?

Answer. I suppose I did.

Question. Did you belong to the committee of observation and safety?

Answer. No, sir; I was the central chief.

Question. Do you know what the committee of observation and safety did?

Answer. They did nothing that I ever heard of. The cause of this organization was this: After the election that we had, which, perhaps, every gentleman here on the committee is conversant with, there were a great many frauds committed there at Tallahassee in respect to the ballot-box; the white people, who in the county numbered about one to seven of the colored people, were not allowed to vote; were crowded out from the polls. The colored people were brought up there in squads of from eight to ten and fifteen deep, and from one to two hundred yards long, and it was really worth your life to go in there. In that state of affairs this organization was got up. After that organization the whole thing changed, and there has been no necessity for it, and we never have kept it up. I do not think I have been in a meeting of it for fifteen months.

Question. Section eighteen seems to have been the one under which you were appointed:

"There shall be appointed by the Young Men's Democratic Club of ——— County a central chief and two assistants, first and second."

That is your office, as I understand?

Answer. Yes, sir.

Question. Who were your first and second assistants for the county?

Answer. R. A. Whitfield was one; I have forgotten the other.

Question. These are different from the officers mentioned in section two, which is as follows:

"The officers of the club shall consist of a president, two vice-presidents, (first and second,) a recording and a corresponding secretary, and one treasurer."

Those were the officers of a club?

Answer. Yes, sir; there were three clubs in the county.

Question. Then for all the clubs in the county there were appointed a central chief and two assistants?

Answer. Yes, sir; I was the central chief.

Question. What did you have to do as central chief?

Answer. Whenever the three clubs met together I was to preside; but we never had a meeting of the three clubs. I never saw the entire county represented, not once.

Question. Section twenty-five provides:

"When a ten is assembled for any purpose, its leader shall preside and command," &c.

Answer. That is right.

Question. What sort of command?

Answer. Take charge of them; preside over them.

Question. A presiding officer is one thing, and a commander is another.

Answer. A different name.

Question. It says, "Shall preside and command?"

Answer. Yes, sir; we had chiefs of tens, chiefs of fifties, and chiefs of hundreds. Whenever a chief of a ten, or of a fifty, or of a hundred, wished to have a meeting the commander was the recognized leader, and organized the meeting.

Question. Section twenty-five goes on to provide that "when a section is assembled the chief shall preside and command."

Answer. That is so.

Question. "And when the whole organization is assembled the central chief shall preside and command." Command is a military term.

Answer. That may be so. Perhaps I can better explain it in this way: On the days of election, (I think we had only two during the existence of this organization,) I myself, as the chief, gave instructions to the commanders of hundreds; they gave their instructions to the commanders of fifties, and they to the commanders of tens; that on the day of election order must be maintained at all hazards. If a man belonging to the club appeared at the polls with secret arms he must be arrested and confined until the election is over; if he appeared there in liquor it was the same; and, consequently, we had perfect order at elections. At this last election I was one of the inspectors appointed by the republicans themselves; they took one from the democratic party, and I was the man.

Question. Was there not a separate obligation for what was known as the secret service that was not committed to writing?

Answer. I think not; if so, I am not aware of it.

Question. Do you know anything about the secret service?

Answer. I do not.

Question. Do you know whether there was any such thing?

Answer. There was a secret service committee.

Question. That was a committee of observation and safety?

Answer. Is not that the same?

Question. I asked you what the committee of observation and safety had to do, and I understood you to say that they were to provide business for the club.

Answer. Yes, sir.

Question. And then I asked you, in connection with the next section, which provides that the secret service shall be intrusted to the care of this committee of observation and safety, what the secret service was.

Answer. I understood they were one and the same. I should think their duty would be in case there was a person in the county inciting those people to riot and disturbance and endangering the lives of our families, to notify such persons of the existence of this club, and use what influence they might have to get him to desist.

Question. Whom do you mean by "those people?"

Answer. The voters.

Question. Do you mean the voters generally or democratic voters?

Answer. The voters generally; we managed the democratic voters; they could not do anything wrong.

Question. "And the names and duties of the secret service committee shall be known only to the said committee and their various chiefs."

Answer. I had nothing to do with that.

Question. Then do you know what those duties were; do you know anything about it?

Answer. I thought I explained a moment ago, that in case a disturber of the peace was in our midst, a man exciting the voters to riot —

Question. What voters?

Answer. The colored voters is what I mean.

Question. What was to be done to him then?

Answer. Just notify him that he must desist.

Question. How notify him?

Answer. In person, by the chief.

Question. In writing?

Answer. No, sir; I do not think it was ever contemplated that the notification should be in writing.

Question. Do you know of any one being notified?

Answer. No, sir; not one. We never had any occasion to notify any one; there was perfect order in our county. I do not think there has been an act of violence committed there since the war but one, and that was where one colored man killed another.

Question. Who was this committee of observation and safety in your organization?

Answer. I could not tell you to save my life.

Question. Could you tell who the secret service committee were?

Answer. No, sir.

Question. Or what they were assigned to do?

Answer. No, sir; nothing further than I have told you, to warn people.

Question. I understand you to say that you do not know that they ever did anything, but that in a given case they might be required to do something?

Answer. I do not think they ever did anything; I never heard of it. I do not know who ever composed either one of these committees.

Question. Did you belong to the secret service committee?

Answer. I belonged to the organization as its chief; I could not belong to any other committee but that.

Question. Under the constitution, a copy of which I have—

Answer. I do not know whether that is the constitution we had or not; I could not tell positively whether it was or not; but the questions you have asked me are pertinent.

Question. You admit these provisions I have called your attention to have been in your constitution?

Answer. Yes, sir.

Question. As I understand, it was not all the members of the club that belonged to the secret service committee?

Answer. Of course not; every committee, I presume, had its members; but the secret service committee, and what was their duties, and whatever other committees you have read about there— It has been so long that I have forgotten almost all about it.

Question. The provision is that the names of the secret service committee should be known only to the committee and to the various chiefs.

Answer. I have never known anything about it.

Question. Do you know whether those who belonged to the secret service committee had a special oath to take?

Answer. I do not.

Question. An oath which among other things required them to go to any place and remove any obstacle in the way of the success of the democratic party?

Answer. I am not aware of that.

Question. Did you ever take any such oath yourself?

Answer. I took an oath when I joined the club.

Question. Was such a provision as that in it?

Answer. I think not; I do not recollect it.

Question. What do you say about the discontinuance of the order?

Answer. I do not think we have had a meeting in fifteen months. At this last election we had polls established throughout the county; at Tallahassee we had three polls, but heretofore we have had but one poll for the whole county.

Question. To how many counties did this organization extend?

Answer. I do not know anything about it further than Leon County.

Question. Have you any information of its extending to any other county?

Answer. I have never heard of it in any other county but Leon.

Question. How many clubs were there in Leon County?

Answer. Three.

Question. In what portions of the county were they?

Answer. There was one in Tallahassee, one in Miccosukie, and one in Centreville.

Question. To recur back to the secret service committee; suppose this disturber of the peace that you referred to should fail to desist on being notified by the chief of the secret service committee, what would be done with him then?

Answer. He would be ordered to leave the county.

Question. Suppose he did not leave?

Answer. I do not know; I have never contemplated it beyond that; I have never thought of it in that connection; if it had been anything beyond that I should not have had anything to do with it. But the best men in our county, the very best men, the oldest and youngest, all joined this club, and it has been a source of great—

Question. The democratic party generally belonged to it?

Answer. It did in that county; beyond the county I do not know anything about it. I never heard of it existing in any other county. It was a good institution while it did last, and productive of a great deal of good.

Question. What was the good it was productive of, do you think?

Answer. I think there would have been disturbance but for that organization; young men coming to the polls drunk, colored people coming into town and drinking whisky. At the last election when we were in full blast we went around and requested all the stores in town to close and sell no liquor; no arms were allowed to be carried, and I do not think I saw a drunken man on that day.

Question. No arms were allowed to be brought into town on the day of election?

Answer. Not one, for some fool of a boy might have got drunk and involved the whole community in trouble, and our object was to preserve the peace.

Question. How many persons do you suppose belonged to the club in your county?

Answer. I could not say positively, but I suppose three or four hundred.

Question. What was your democratic vote?

Answer. I do not know what it has been since the surrender. I was in the legislature eight or ten times before the war, and it is consolidated now of democrats and others. I think we voted about 600 or 700, and I think the opposite party voted between 2,700 and 2,800.

Question. Then something like one-half of the democrats belong to that organization?

Answer. Yes, sir; and I suppose all would have belonged to it, if it had been convenient. I know some who did not belong to it.

Question. Was there any other business the club was to look after except the inciters of riot among the colored voters?

Answer. No, sir.

Question. That was all?

Answer. Yes, sir, it was political entirely; that was all that was ever contemplated.

By Mr. LANSING:

Question. If so many of your citizens belonged to that order and were so solicitous for the suppression of irregularities and tendencies to riot, would there have been any difficulty in punishing in the courts of justice any man who stirred up a disturbance of the peace?

Answer. I do not think there would now.

Question. Well, then?

Answer. I do not know about then; it is not so now.

Question. What was the vote of your county?

Answer. I think that our vote, as I have just said, at the last election was 600 or 700; and I think the republican vote was about 2,700 or 2,800.

Question. Had you any reason to apprehend that the republicans would corrupt and control the courts of justice so as to prevent them punishing legally seditious persons?

Answer. No, sir; not the judges.

Question. What, then, was the necessity for this organization?

Answer. Well, it was just this: it is an organization that could act any day and every day, and could consult together, while the courts met about once or twice a year.

Question. What was the force and vigor of such an organization, if after notifying a man to leave the country and he should not do it —?

Answer. He would have left; no man would have staid in a community of that sort.

Question. Why would he have left?

Answer. He would have been afraid of some disturbance, of being interfered with. A man of that sort who disturbs the peace of the community in which I live would deserve to have something done to him.

Question. We are not talking about that; no doubt he would deserve punishment, but we are now speaking of this mode of doing it.

Answer. Yes, sir; that is so.

Question. Why would they have left; because they would have feared illegal violence?

Answer. Well, before the war, years ago, we had here a very similar process; it never has been resorted to since, but that was twenty-five or thirty years ago. We had down in this country what were called regulators. Whenever they notified a man to leave he left. If it had not been for this organization, with the men at the head of it, we could not have been protected.

Question. Protected from what?

Answer. From the colored people, and from the men who were urging them on. We have submitted to everything up there.

Question. The reason why those people would have left after notice was, that they would have anticipated violence from your order?

Answer. They might or might not; I do not say what they might have anticipated.

Question. What would induce them to leave?

Answer. Fear of being disturbed.

Question. Fear of violence from your order?

Answer. Well, I think so; yes.

Question. Then was it not a part of the plan, a part of your system, to compel those to leave, to obey your mandates, who should refuse to do so when notified?

Answer. I never heard that question mooted.

Question. That was a sort of open affair?

Answer. There is a clause in the constitution for it, when there was a necessity for

it, but I never heard it spoken of; there never has been any necessity for it in our county.

Question. You never had any occasion for it?

Answer. No, sir.

Question. Was it not well known in your county that your order was so strong that it would not do to defy it?

Answer. I do not think anybody knew it in the county outside of the organization.

Question. Have I understood you to say that you never had any occasion to serve any notice?

Answer. Not one, so far as our county is concerned. We have a great many colored people in our county; I think the proportion is about seven to one.

Question. I was about to ask you about that.

Answer. There has not been much thieving about in our county; there have been two or three men there who were bad men; one or two white men and one or two colored men.

Question. Bad, how?

Answer. I have heard a great deal on the streets; I have heard them say, now is the time, if they wanted to turn in and murder people—now is the chance.

Question. Have any of those bad people been active republican politicians?

Answer. Yes, sir.

Question. And it has been said that they excited violence?

Answer. This was said in the heat of passion.

Question. Has it not been the habit in your county, where a man became politically obnoxious, to brand him with such a charge as that?

Answer. No, sir.

Question. Name some of those white men you consider obnoxious.

Answer. There is Major Purman, a bad, bitter man.

Question. What was the charge against him?

Answer. I have nothing personal against him.

Question. What was charged against him?

Answer. That he had made these speeches to these clubs, and told the negroes that now was the time, that they had it in their hands, that we had been abusive of them, &c.; using such remarks as would appeal to people without education.

Question. Was he not using arguments to them to induce them to exercise the right of suffrage?

Answer. That right never was denied in that county.

Question. Was it not to that point he was making those arguments?

Answer. I never heard him say this; it was mere rumor; so far as my intercourse with him has been, it has been very pleasant.

Question. The extent of the charges against Purman was that he was addressing colored people in regard to their rights and duties, urging them to the exercise of this new privilege of theirs?

Answer. I do not know; I never heard Major Purman; this is only what I have heard other people say, that he was a fanatic, and would excite the negroes to do anything.

Question. Have you ever heard that he was urging the negroes to do anything else except to vote the republican ticket?

Answer. I have heard that he said there were bad laws there, and that they ought to be resisted; that the people should not submit to them; that the juries were packed, &c.; but there was no truth in that.

Question. How strong did the feeling become in regard to Major Purman?

Answer. Among the white people?

Question. Yes.

Answer. Everybody looked upon him as a bad man, as a dangerous man; he was a smart man.

Question. Was his case ever discussed in your order?

Answer. Not mentioned that I know of.

Question. It never was sent to this secret service committee?

Answer. No, sir.

Question. What was the personal character and standing of Major Purman independent of politics?

Answer. I do not know really; I never saw him half a dozen times in my life.

Question. What was his reputation as a man of honor and honesty?

Answer. I do not know.

Question. Did you ever hear his character and reputation called in question except in a political way?

Answer. No, sir; I do not know that I have; I know but little about him; I am out on my plantation; I plant largely, and I am very little about town. I simply tried to discharge my duty; that is all. I never spoke to Major Purman three times in my life.

Question. What proportion of the white population in your county is republican?

Answer. It is very small; I do not think there are a dozen home people that are republicans; there may be more, but I do not think so.

Question. I will not inquire of you about any of these bad negroes, but I will ask you to name another bad white man.

Answer. I will tell you; I am not speaking of my own personal observation, but I have heard that Mr. Hamilton was a bad man.

Question. In what respect?

Answer. In the same way; an agitator.

Question. He talked to the colored people?

Answer. I never heard him make but one speech in my life.

Question. He had that reputation?

Answer. Yes, sir.

Question. Was it not in that respect, and that only, that he was spoken of among your people as a bad man?

Answer. Simply how the colored people should vote?

Question. Because he assumed political relations with the colored people?

Answer. He talked a great deal with the colored people, and tried to excite their prejudices against their old masters.

Question. Did you ever know of Mr. Hamilton endeavoring to excite a negro to commit a crime?

Answer. No, sir.

Question. Did you ever hear that?

Answer. Only general remarks.

Question. No crimes?

Answer. That they ought not to obey their old masters.

By the CHAIRMAN:

Question. Ought they?

Answer. Under contract. General Howard asked me that question once in Washington, and I showed him a contract.

By Mr. LANSING:

Question. Do you mean that Mr. Hamilton excited them to disregard their contracts?

Answer. I will tell you exactly what I heard. I heard that when Mr. Hamilton and Major Purman went to Jackson County as agents of the Freedmen's Bureau, (I think that Mr. Hamilton was the chief, and that Major Purman acted in some subordinate capacity, I have forgotten what,) after the contracts had been made with the laborers in January, and they had gone to work, Mr. Hamilton and Major Purman issued a kind of proclamation or order to the colored people laboring on the plantations, calling them to assemble at their office with their contracts, and stating that they were illegal and void, and not worth the paper they were written on, unless they were signed and approved by them, and that the laborers who signed those contracts had to pay them as a fee a dollar or a dollar and a half apiece.

Question. What kind of contracts?

Answer. In my county I gave them a third and fed them; that was too steep, and under the second contract I gave them a fourth and fed them; under the third contract I gave them two-fifths and they supported themselves. I have about all my old hands with me now; I used to work about three hundred, and I have two hundred and seventy there now, and they are all accumulating property; they are in good circumstances for people who started as they did. To some I gave two-fifths, and to some one-half.

Question. Was there not a great deal of complaint that those contracts were unjust and oppressive in their terms; I am not speaking of yours?

Answer. All the contracts I have ever heard in the State of Florida were like those I have told you.

Question. Well, what else was alleged against those men?

Answer. I do not think Major Purman was there at the time of what I am going to relate now; he may have been there, but I am not sure. Most of the disturbances have been in Jackson County; there have not been any with us; we have been nearly as quiet as you have. I heard about some young ladies in Jackson County taking some flowers out of the cemetery; I have never heard whether from confederate graves or Union graves. Mr. Hamilton was informed by some colored person that those young ladies had been down to the cemetery and taken some flowers from the graves; and the next day, or perhaps that afternoon, an order was issued for the arrest of those ladies, and they were carried before Mr. Hamilton.

Question. In what capacity was he acting?

Answer. As Bureau agent. There was no evidence against them, and they were discharged. I am just telling a few things now why the people had this feeling.

Question. Entirely independent of his official and political conduct, what was the character of Mr. Hamilton?

Answer. I do not know the gentleman at all.

Question. Did you ever hear anything against him?

Answer. Only these things, as I have said.

Question. You say you have heard those two men spoken hardly of; did you ever hear a republican find fault with either of those two men?

Answer. Well, yes; and I will explain how. I have some friends among the republicans, and I have heard them say that such men as those would ruin the party—such extreme men as those.

Question. The white republicans in your county said that?

Answer. It was during the last session of the legislature, I think.

Question. I mean in your county.

Answer. O, no; I do not know any white republicans in our county; I have had very little to do with them.

Question. You say there are very few white republicans in your county?

Answer. I do not think there were a dozen there.

Question. How many colored democrats are there in your county?

Answer. I do not know, unless we judge by the last election. In our county we had an election last fall; Mr. Dyke was the conservative candidate, and Mr. Edwards was the republican candidate. No; I beg your pardon, that was the election before last. Our candidate was elected by over a hundred votes.

Question. You must have got a large number of colored votes?

Answer. We did, in the town; but in the county the elections were largely republican; we have always maintained a conservative majority in town.

Question. What is the county republican majority?

Answer. I do not know; two or three thousand, I reckon.

Question. At the last election?

Answer. It is the largest county in the State.

Question. Have you credited your order with obtaining so many colored votes in your town?

Answer. No, sir; but we contemplated extending it to the colored people, who were going to have a club.

Question. You do now?

Answer. O, no; the thing has not existed for fifteen or sixteen months. I belonged to the Know-Nothings once; I went to one meeting, but I have no idea of the oath I took.

Question. Have you discovered among the colored people any disposition to revolt and violence?

Answer. If they are let alone they have not; the country people are very quiet. But about the town there are a few men who live upon the surface; they get a little whisky, and commence to say things that perhaps they ought not to say, and that excites the colored people. It was rumored that, at the last session of the legislature, Bishop Pearce, who was here to-day—he was indicted, and I was foreman of the grand jury, which consisted of nine republicans and seven conservatives; there were two colored men more than whites, and I think Mr. Avery was a republican, and perhaps some others—this man Pearce, and others, were indicted before that grand jury; the verdict of the grand jury was unanimous.

Question. What were they indicted for?

Answer. For receiving and offering bribes in connection with General Littlefield's matters. General Littlefield has gone up to-day for that very purpose. I have not been in the legislature but twice for five years. When the legislature met I was going to my plantation, and I met several men from my plantation who were very quiet men; they all had large hickory sticks, and when I met them, I commenced laughing. I asked them where they were going. They said they did not know what they were going to do, but that they were ordered to town. They went to Tallahassee, and when the legislature assembled they went there two or three days, with these clubs. It was reported that the democrats were going to put Pearce out of the legislature; they were not acquainted at all with the facts, and the legislature was crowded with them with their sticks and large clubs, they going there to defend Parson Pearce against the democratic party, I suppose, though the democratic party had nothing more to do with it than you had.

Question. You find it no longer necessary to keep up that organization in your county?

Answer. O, us, sir; I do not think I have heard of it for fifteen or sixteen months.

Question. You have not now any of those bad white men exciting the negroes?

Answer. Everything is very quiet now.

By the CHAIRMAN:

Question. Who were to decide what parties were to be notified, and who were to give the notice to them? You say this secret service was to notify these bad, turbulent men?

Answer. The committee were to do that.

Question. They were to decide it?

Answer. I think so; that is my understanding.

Question. They were to direct by whom it was to be done?

Answer. That is my understanding.

Question. And you intimated what would be done in case they did not comply?

Answer. It was never contemplated by the club to do any injury to anybody. It was entirely a political organization.

Question. I see that you provide here in your organization that "it shall be the further duty of the committee of observation and safety to institute signs and signals, to preserve the counsels, purposes, strength, and integrity of the organization, and shall create signs for communicating and for assembling tens and fifties, and the whole organization."

Answer. Yes, sir.

Question. Have you those signs?

Answer. I had them then.

Question. What were they?

Answer. I cannot tell you to save my life. When Pearce came out here to-day, and came into the next room laughing, he said, "Colonel, give me the signs." I said, "If you have the sign, you must give it to me," and he shook hands with me as one Mason would with another.

Question. You say he was indicted by the grand jury?

Answer. Yes, sir.

Question. What became of the indictment?

Answer. I do not know whether it was dismissed or not; I know that Littlefield is up on that business; he told me so yesterday, but I am not confident about Pearce.

Question. Whether this organization extends into Jackson, or not—

Answer. I do not know.

Question. If it did, it would be very likely to remove such obstacles as Purman and Hamilton, would it not?

Answer. I do not know; they lived there undisturbed. I have heard so many rumors about those troubles of Major Purman; I have heard that he said that the shooting of him was for no political purpose at all.

Question. To whom did he say that?

Answer. To several persons in Jackson County—to Colonel Dawkins, of Marianna, for one; he lives here now.

Question. As I understand you, the objection to those two men resolves itself into three points; in the first place, they made political speeches to the colored people, which were very objectionable to the democrats.

Answer. Not so objectionable to democrats particularly, but to law-abiding men.

Question. They had been agents of the Freedmen's Bureau, and had claimed a supervision of the contracts of the freedmen?

Answer. There was no authority for that; Colonel Osborn never exercised any such authority as that in Tallahassee, and he staid there two or three years; it was a new thing.

Question. I am not asking you what the law was, but what the fact was—what the complaint against those men was. The third point was, that one or the other of them had sent for some white ladies charged with interfering with some flowers either upon confederate or Federal graves, you do not know which.

Answer. No, sir; I do not know; that is all hearsay; I do not know anything about it personally.

By Mr. BAYARD:

Question. I understand that you were a member of a young mens' democratic club?

Answer. Yes, sir.

Question. And that it was an association formed for political purposes?

Answer. Entirely.

Question. In which you were bound by an oath of secresy in regard to its deliberations?

Answer. Yes, sir.

Question. I understand that that association extended no further than the county in which you reside, to your knowledge?

Answer. That is so.

Question. You have no knowledge of it in any other county?

Answer. No, sir.

Question. A book has been exhibited to you here; I will ask whether you have had time to read it and to determine whether or not this constitution or by-laws are those of your club or not.

Answer. The general features are correct, so far as I can judge from the questions asked me.

Question. You replied only substantially in regard to the questions put to you by the chairman?

Answer. Yes, sir.

Question. How long was this club in existence?

Answer. It dissolved about fifteen months ago.

Question. I understand that the suggestion of it came from a publication that you saw in a newspaper of a similar organization existing in the State of Virginia?

Answer. O, no, sir; you have misunderstood me. I said that they had adopted in Virginia recently the same plan; I understood that it was introduced into some convention there by Extra Billy Smith, exactly the same in its features as this.

Question. This organization?

Answer. Yes, sir; Mr. Dyke, of Tallahassee, told me so.

Question. The object is to affect a complete and thorough organization of your party throughout every part of the county?

Answer. Yes, sir; that is it.

Question. Was there anything in the objects or obligations of the society which you so formed in violation of the laws of Florida or of the laws of the United States?

Answer. No, sir.

Question. Was there any obligation of your society that led you to commit any act of illegality or immorality?

Answer. I think not.

Question. Nothing of the kind?

Answer. No, sir; not so construed by anybody who ever belonged to it.

Question. Did you ever take, or have you any knowledge of, any obligation under the sanction of an oath, that would require you to do anything that a good, law-abiding citizen should not do?

Answer. No, sir; I do not think so; I never would have done it, and I do not think it was ever contemplated, or that anything of the kind was ever thought of.

Question. I understand you to say that this took place away back in 1863?

Answer. I think so; I am not positive about the dates; it was about 1868 or 1869.

Question. At a time that the black people of your county outnumbered you seven to one?

Answer. I think so.

Question. Did you say that the temper and disposition of the black people, if left to themselves, were kindly toward the white people of the county?

Answer. I think so, unless they get into these towns; I think the colored people left to themselves on the plantations are kindly disposed; I have never had any indignity offered to me except by those in towns.

Question. You say you owned some three hundred before the war, and that nearly all of them have remained with you since the war on friendly terms with you?

Answer. Yes, sir; they are kind to me, and I am kind to them.

Question. I understand that the white people of the county were led to feel insecure by the character of addresses and public speeches made by these strangers who came among you?

Answer. Yes, sir.

Question. And among those you mentioned Purman and Hamilton?

Answer. Yes, sir; and Pearce, and the secretary of State, Gibbs, and others. I looked upon Gibbs as the first man in the republican party in Florida. Some time ago a difficulty occurred on a railroad between a conductor and a constable whom I voted for, and I think he got nearly every vote in Leon County for constable, although he is a republican. He got on at station No. 1, and was going to Tallahassee. He offered the conductor a bill, and the conductor refused to take it. There were some words and some blows passed; this man struck the conductor in the face, and the conductor cut him.

Question. With what?

Answer. With a little pocket-knife. On the next day Taton, the conductor, was arrested and put in jail; while he was in jail there was quite a demonstration by the negroes; I was not in town.

Question. How many negroes assembled?

Answer. I heard that three hundred or four hundred assembled. I heard that the secretary of state was down there, and was very much infuriated, and made some very uncalled-for remarks; I am trying to think just what he said. He gets excited, and, like every other man, says things that perhaps he ought not to say. I think he told the people then was the time to commence their troubles as between the whites and blacks; that they had been run over long enough.

Question. Was this to the mob of negroes outside the jail?

Answer. To quite a collection of negroes at the court-house. A great many heard it; I never heard it; I simply heard of it; I go to town every night nearly.

Question. Did he propose that the crowd should lynch that man?

Answer. That was the inference, so much so that that night the mayor of the town, who is a democrat, (we have one marshal and two policemen in the town, that is all; the marshal is a white man and the policemen colored,) ordered out a guard at the

jail for fear of a disturbance; I think he ordered out some ten or twelve colored men; no whites were put on the guard at all. He did that for the reason that he thought it would have a better effect by trusting the colored men to guard the jail, and there was no disturbance made.

Question. He thought that such was the temper of the colored people under Mr. Gibbs's instructions that if he put a guard of white men there——

Answer. There might have been a disturbance; that was his view, not mine.

Question. That was the view he took as mayor of the city?

Answer. Yes, sir.

Question. He is a democrat?

Answer. Yes, sir; editor of the leading democratic paper in the State; there was no disturbance at all.

Question. Mr. Gibbs addressed the mob in an incendiary speech?

Answer. He made remarks to just about that effect.

Question. Was it an incendiary speech?

Answer. Yes, sir; so several men who heard it say.

Question. Were the addresses made by Purman, Hamilton, Gibbs, Pearce, and these other leaders of the black men's party in that part of the State, of a character to excite the animosities of the colored people against the whites?

Answer. I never heard a speech from either one of those gentlemen.

Question. I am speaking of the effect of them.

Answer. That was the impression.

Question. Did they produce that feeling of insecurity among the whites by their addresses?

Answer. Yes, sir.

Question. Was this organization made by you one of self-protection against the overwhelming number of black people led on by these others?

Answer. Yes, sir.

Question. Did it go any further than the protection of your people and of your families?

Answer. No, sir.

Question. You say that one of your duties was to see that none of your men were armed on the days of election, or were under the influence of liquor?

Answer. Yes, sir; and that was the only thing that ever kept the peace in that country. Discreet men and men of family I do not suppose would have got into trouble; it was only indiscreet men that we feared.

Question. Have you heard threatening language used by the colored people directed against whites in times of excitement? State what you have heard yourself or from credible authority.

Answer. The only instance I can call to mind now is a case in Quincy. They had an election there, and they had two polling places, one for the whites, and the other for the colored voters. Late in the afternoon the colored voters abandoned their box and attempted to crowd away the white people, who had surrounded the box known as the white box, the one for the polls of the white people. A disturbance arose; I think some gentlemen remonstrated; in fact, I know they did, at least I heard they did, and kept them back from the polls. That of course created a disturbance, and infuriated the negroes all over the town, and the white people too. The negro women just ran all through the streets, hallooing, "Where is your garrison?" "Take the babes from the cradle," and all such expressions as that.

Question. Quincy is where Mr. Stearns lives?

Answer. Yes, sir; he is a resident there; he lives in Tallahassee. Mr. Allison is on trial now for that very offense.

Question. For what offense?

Answer. Because of the disturbance at Quincy, driving these people back from the polls.

Question. From the polls which had been allotted to the white people?

Answer. Yes, sir.

Question. Do you understand there were white people waiting there at that time to vote?

Answer. Yes, sir.

Question. Were the character of those speeches and the feeling engendered by those speeches generally known by the families, by men, women, and children throughout your community?

Answer. Yes, sir, I have heard so.

Question. Did they produce a feeling of insecurity in the community?

Answer. Of course they did.

Question. You say the club had in view in part the protection of your firesides from such assaults?

Answer. Yes, sir, to counsel peace, quiet, and the preservation of good order; that is my understanding of the whole thing.

Question. Was there ever at any time any action of your club, or of the members of it, to impede the exercise of the elective franchise by colored men?

Answer. No, sir, I never saw it.

Question. Was any such proposition or scheme ever talked of?

Answer. Not that I ever heard of.

Question. Was any act of violence of any kind, to your knowledge, ever inflicted by your club, or by any member, or any committee, or any agent of your club, upon any man, white or colored, in that community?

Answer. No, sir, I can speak positively about that.

Question. If there had been, would you not necessarily have known something about it?

Answer. Yes, sir.

Question. Could it have been done without your having some knowledge of it?

Answer. I think not; I never heard of such a thing as that; it never was contemplated.

Question. You said you met some negro men coming in from one of your plantations armed with hickory sticks?

Answer. Yes, sir.

Question. Coming in to protect Pearce?

Answer. They did not tell me that. I asked them where they were going, and they said they were going to town; that is all the reply they gave me. The next day I remained in town, and there I saw them again.

Question. What did they say about being ordered to town?

Answer. I saw myself, in the road from my La Grange place to my Shiloh place, a man who it was afterward told me had been in there and summoned them; he fooled me entirely.

Question. Was he one of their leaders?

Answer. They had their secret orders.

Question. They were ordered into the capital to defend Mr. Pearce?

Answer. Yes, sir.

Question. What was the offense for which Pearce was indicted?

Answer. For receiving or offering money in bribes in connection with this Littlefield grant before the legislature—this bribery case before the courts now. I think that Pearce offered Harry Crews, a senator from Gadsden, some money to vote for a certain scheme of General Littlefield; Harry Crews told me so himself.

Question. And Pearce was indicted?

Answer. Yes, sir, unanimously.

Question. In what court?

Answer. The circuit court of the State, and he is to be tried to-morrow, I think. General Littlefield told me last night that he was going to leave this morning, and that his trial was to come off to-day.

Question. This is the Reverend Charles H. Pearce?

Answer. Yes, sir.

Question. He has been indicted for offering bribes in the legislature?

Answer. Yes, sir; I think there are two bills against him.

Question. You say that indictment was unanimous?

Answer. Yes, sir; there were seven of his own color on the jury.

Question. What was the effect of Purman and Hamilton revoking all the contracts made in Jackson County; at what time of the year was it?

Answer. It was in January, and it demoralized everything for the time being; I think all the trouble in that county started right there.

Question. That was in Jackson County?

Answer. Yes, sir.

Question. They came there and broke up all the contracts made that year?

Answer. Yes, sir; Mr. Thomas is in town, and he can tell you all about it.

Question. We cannot call many witnesses now, but you may state all the facts you have heard from reliable information.

Answer. The matter was submitted to Colonel Bliss, commanding at Tallahassee. What I tell you I heard from the people.

Question. That commenced the feeling against those two men?

Answer. Yes, sir; I think that started all the trouble in that county.

Question. And they took from each one of these laboring men a dollar or a dollar and a half?

Answer. So I have heard.

Question. There was no law providing for that?

Answer. It was never heard of in our county.

Question. It was a clear act of extortion, was it not?

Answer. I suppose so.

Question. Availing themselves of the ignorance of the colored people?

Answer. Yes, sir.

Question. And this feeling in that community started from that fact?

Answer. Yes, sir.

Question. And from that they went on to instruct the colored people, and to urge them to combine against the whites?

Answer. That was the inference drawn.

Question. Did not those gentlemen seek to use the colored voters to put themselves in office?

Answer. I suppose so; they were both elected.

Question. Mr. Hamilton was a stranger in your State?

Answer. Yes, sir.

Question. Neither of those men had been here long?

Answer. No, sir.

Question. They first started by interfering with your system of contracts, and then used the votes of the colored people to put themselves in office?

Answer. Yes, sir.

Question. That is their history?

Answer. That is the first I heard of them.

Question. Taking as the first step these illegal exactions from colored people on the plantations?

Answer. Yes, sir.

Question. It has been stated by some witnesses before this committee that it was quite a customary thing for colored men to be wronged by their employers under these contracts; that contracts of an inequitable character were made and insisted upon.

Answer. I guess that is not so; I have never heard of it.

Question. You know the white people of this State?

Answer. Yes, sir, as well almost as any man in it.

Question. What would be the opinion and the treatment, socially, of a white man who should employ a negro, or a set of negroes, and defraud them out of any portion of their just dues?

Answer. He would lose the respect of all good citizens.

Question. Would he not be despised by the white people of this State?

Answer. I think so; by the good portion of the people.

Question. If a negro took a case of that kind before the court, would he have any difficulty in getting his compensation?

Answer. No, sir; he never has had. I will tell you how a great deal of the difficulty arises: the negroes are improvident; they will spend all they have if you let them, and then if at the end of the year they do not have anything coming to them, they swear they have been deprived of their money by bad contracts. I think a great deal of the trouble has arisen in that way; they will spend every dollar they can get.

Question. Is not that characteristic of lavishness and improvidence one of the characteristics of their race?

Answer. Yes, sir.

Question. Has it not always been so?

Answer. Yes, sir; ever since I have known them.

Question. How many voting places did they give you in your county at first?

Answer. One.

Question. Who established that?

Answer. I think the county commissioners.

Question. Did they put it wherever they pleased, and did they establish what number they pleased?

Answer. Yes, sir.

Question. How large is your county?

Answer. It is about thirty miles square.

Question. They gave but one voting place for that entire area?

Answer. Yes, sir, at Tallahassee.

Question. Has that been remedied since?

Answer. Yes, sir.

Question. Is Jackson County about the same area of Leon?

Answer. Yes, sir, about the same.

Question. How many voting places in Jackson County?

Answer. They had one at Marianna when we had one; I do not know about this last election.

Question. Your people were obliged to ride from the outer boundaries of that county to the place of voting?

Answer. I have known men to ride twenty miles to vote.

Question. Before they could vote?

Answer. Yes, sir, plenty of them.

Question. It has been said that some men did not pay negroes for their crops and for their wages; you say that a man could not be—

Answer. I will tell you the only instance I know of, and you can get the negroes themselves to tell you. Major Weeks came to Florida from Boston, and I think he

commanded the deserters on the coast, with headquarters at Cedar Keys. After the army was disbanded, Major Weeks, Mr. Moody, and Mr. Redding, from Boston, rented a plantation in the county, known as Tuscawilla, belonging to the widow Parkhill. They planted there two years. The last year they planted there, I met Major Weeks in the road, and he spoke to me in reference to buying cotton. I said, "Major, if you will stop at my Clairvaux place, and see the men there, I think you can buy some cotton." The next day I returned to Clairvaux, and asked one of my head men, by the name of Luke Gee, if Major Weeks had been there, and he told me that he had. I asked him what his business was, and he said it was to purchase cotton. I then said, "Did Major Weeks see Governor Burton?" another head man there. He said, "Yes, but Burton would not sell him his cotton, preferring that you should have it; but the major offered me such a good price, that I thought I would let him have it, and did let him have it." I bought the cotton from Burton, and paid him 23 cents, cash. Major Weeks was to get the other cotton at 25 cents, on 90 days' time. To this day Major Weeks owes those boys \$1,125, that he never has paid them; he paid them only a portion.

Question. What became of him?

Answer. He was appointed by Governor Reed as lieutenant governor, and exercised the office for some time.

Question. Is he the present lieutenant governor of the State?

Answer. No, sir; not now; there has been an election since then. He is living there near Tallahassee. That is one instance that I know of.

Question. What other instances do you know where they have been wronged and robbed in this way by anybody?

Answer. I have no personal knowledge of any other.

Question. Do you suppose that any white man down here could defraud his blacks without losing position entirely?

Answer. No, sir; and he could not get a hand to save his life; they would not live with him. As I have said before, there is a great deal of complaint sometimes at the end of the year; so much so that I have adopted an entirely different system now; I allow the men to trade very little, and at the end of the year I pay them what belongs to them.

Question. You have stated in regard to your membership of a secret organization, and have described the one to which you belonged, and the only one. Have you any knowledge of any other political organization of any character in the interest of the democratic party?

Answer. No, sir; none.

Question. Have you any knowledge of any organization of men in this State to commit deeds of violence, commonly called Ku-Klux?

Answer. I have not.

Question. Have you ever known any man that you believed to be a member of such an organization in the State of Florida?

Answer. No, sir.

Question. The secretary of state, Mr. Gibbs, has been examined here, and produced a very long and formidable list of homicides committed in this State since reconstruction, putting down 153 in Jackson County.

Answer. I have not heard of them.

Question. You live near that county?

Answer. There is one county between; I have heard of only three, I think, Garraway, Yerty, and McGriff, a democrat, who formerly lived there.

Question. Where was he killed?

Answer. He was shot in his door while washing his feet.

Question. By whom?

Answer. Nobody knows. The other gentlemen belonged to the republican party; McGriff belonged to the democratic party.

Question. Have you ever had any reason to believe that in any of the murders you have heard of there was any political instigation?

Answer. No, sir; I have never heard of any such thing, only that they were killed.

Question. There has been a great deal said about murders; do you know that in this county there have been any homicides proceeding in any way from political motives?

Answer. I have heard since I have been here that there have been five or six murders committed here since the surrender, and that four or five out of the six were republicans killing republicans, and that one was a democrat.

Question. Did you get that information from reliable persons in this place?

Answer. Yes, sir; there is no question about that; the records will show it.

Question. Were you ever, at any time, called upon by the governor of the State to assist in protecting the capital from assault? If so, state upon what occasion.

Answer. I was called on once by the mayor of the town, through an order of the adjutant general, Carse, now in Philadelphia; I was summoned one night from home by a message to appear at the mayor's office, and I did so. When I got there, I asked what I was summoned for, and he said he wanted me to go down to the capital

and defend it. I asked him against whom; and he said he did not know, but that Carse had requested that he should summon the citizens to the capital for its defense. We got together, I presume, eighty or one hundred men; I went to the capital with two friends and met the adjutant general in the governor's office. That was the first time and the last time I have been there. I asked what he wanted with us, and he said that Colonel Osborn and his wing of the party had been at Monticello and organized, and were coming back that night, and had made threats that they intended to take the capital by force if necessary; and that the governor wished the capital defended against them.

Question. That was the present Senator Osborn?

Answer. Yes, sir.

Question. What band of men had he with him?

Answer. That portion of the republican party that went with him.

Question. On what question, or what issue?

Answer. I have forgotten what it was.

Question. Did he propose to take possession of the government building?

Answer. That was the impression of the governor.

Question. And establish a government of his own in this State?

Answer. I do not know whether it was directed against the governor or not; it was to take possession of the legislative halls.

Question. To take forcible possession of the public buildings against those who, by right of law, held them?

Answer. Yes, sir?

Question. Who were those men who aided you; what party?

Answer. They were citizens generally of the town.

Question. Of what party?

Answer. Democrats, mostly; I think all I saw were democrats.

Question. At that time the republican governor and his agents were glad to avail themselves of democratic assistance to retain possession of the government buildings against one of the republican senators and his followers?

Answer. They did it that night.

By the CHAIRMAN:

Question. There was no attack made on the capital that night?

Answer. No, sir.

Question. How was it before the war about voting-places; did you have more than one in that county?

Answer. Yes, sir; I think we had nine or ten in our county.

Question. This case of Major Weeks, who bought cotton and did not pay for it, was the only case you have ever known of an employer who wronged his hands?

Answer. That came under my observation.

Question. These colored women at Quincy talked about the garrison, &c., and created great alarm?

Answer. Yes, sir.

Question. In consequence of that alarm, you organized the democratic club?

Answer. No, sir; that has been since the organization of the club, and since it was dissolved.

Question. You said that there was no requirement of the organization that contemplated the commission of any unlawful act?

Answer. Yes, sir.

Question. Was it not an unlawful act to go to a citizen and order him to leave the county?

Answer. I do not know, if he is a disturber of the peace.

Question. Have you or I the right to say that our neighbor is a disturber of the peace and to drive him out of the community? Is not that an unlawful offense of the very highest grade?

Answer. It has always been done in our country.

Question. Do you say it is lawful here in Florida?

Answer. I do not say it is lawful.

Question. Is it lawful to do the very thing that you say this organization was created for?

Answer. It is not created solely for that.

Question. That among other things?

Answer. Yes, sir; if a man was obnoxious to the community, and they could not get rid of him in any other way, then make him leave.

Question. If he did not go, then make him go?

Answer. That was more for our own protection than for anything else.

JACKSONVILLE, FLORIDA,
November 14, 1871.

C. B. WILDER sworn and examined.

The CHAIRMAN. This witness having been called at your instance, Mr. Bayard, you will begin his examination if you please.

By Mr. BAYARD :

Question. This committee was appointed, under a resolution of Congress, to inquire into the condition of certain Southern States, and especially to ascertain if there be security for person and property within those States. I have asked that you be summoned for the purpose of inquiring of you in regard to both subjects, but especially in regard to the security of person and property in the State of Florida. Will you state where you have lived in this State, how long you have lived in Florida, where you were from, and what is your occupation here?

Answer. I am from Boston, Massachusetts; I have been here six years; I have no especial occupation; I came here partly to save my life; more for that than anything else; to see what could be done for this State in the way of bringing colonists here. A great attempt has been made to bring down here white and colored colonists, and, if we could, to make a Yankee State of it, as we call it. I have been in political life a great deal, actively engaged in the old anti-slavery cause. I came here as a kind of committee or pioneer, to see whether it was advisable to occupy this State. Thousands of colored people were thrown upon their oars after the war closed, and President Lincoln first, and afterward President Johnson, proposed to colonize them; not to send them out of the country, but to get them to go to some State where they could settle upon lands under the homestead law. This State was fixed upon for that purpose, and I came here with some others, and we looked about and found desirable locations. The state of things turned, on the death of Lincoln and the coming in of Johnson and his policy, and our plan was not carried out. I came here to enjoy life longer, if I could, and to do what I could to reconstruct the State, and to bring about a state of things that would harmonize the interests and be especially beneficial to the colored people. I was here about a year prior to the constitutional convention; I mingled with a lot of politicians here, most of them army officers, who were located about here, some in business, but not successful, for the crops were bad. I went on acting and voting with them until after the State was reorganized. At last such a state of things sprang up that satisfied us would be ruinous to the prosperity of the State. But we kept on hoping for better things, feeling that nothing could be done but through the republican party, as the old citizens were standing off and objecting. We fought on until there was such a state of things as has ruined us, as you will find if you find out what is the trouble here; a state of things more destructive to property than to life—more ruinous than all the Ku-Klux in the State.

Question. To what class of men do you refer?

Answer. To what we designate here as the carpet-bagger element that rules the State.

Question. Give us plainly a statement of who those persons are and the positions they hold; it is our object to get at the truth.

Answer. If I should do that, my life would probably not be safe; they have already taken mob law and almost murdered a man publicly in this city—some one who, I guess, inquired about the swindling here, the same as I should do, and he is knocked over.

Question. Does this class of men that you say rule the State embrace your governor?

Answer. Yes, sir.

Question. Does it embrace all the leading officials of the State?

Answer. All but one, that I know of.

Question. Whom would you except?

Answer. The comptroller.

Question. Who is he?

Answer. Mr. Gamble.

Question. You do not believe he is one of this corrupt ring?

Answer. I know he has given vouchers officially, stating that the swindlers here, one or two of the tax-collectors, for instance, have got \$30,000 or \$40,000, and because we suppose that such a man is not fit to run the Freedmen's Bank, we are mobbed in the street. They all censured us, and in my presence swore that he would serve. We have invested a great deal of money here; we have got a good hotel going now, so as to make it pleasant for people to come here; myself and my family have done the most to start this thing. I enjoy better health here, and therefore was obliged to be here, and I was glad to get friends to come here. I have been fighting in the anti-slavery and republican party for thirty years, and now to come down here, and be knocked about by this class of gamblers—I call them a ring of gamblers.

Question. Does that ring embrace also the leading men of the State legislature?

Answer. Enough to carry their measures. Here is an instance in this city: we are

represented there by a man who has no more business there than a black man; a man was elected here and got his commission, and went there and took his seat; when they got there, they found that they could not use him to carry their points, so he was turned out, and another man, associated with Cheney, was put in. Falsehoods and perjuries, and stuffing of ballot-boxes are all in proof before the committee, and certified; but they kicked him out and stuffed the ballot-boxes, and brought the other man into the seat. If I was inclined to swear, I should say that such things were damnable; ruinous to the prosperity of the State, to the prosperity of the party in the State, and the party in the country, when they will sanction and bolster up, and keep in office men guilty of a thousand such things.

Question. There was a colored man examined here two or three days ago, a Rev. Charles H. Pearce, known as Bishop Pearce; it was stated to us that he had been indicted for offering bribes to men in the legislature; have you heard to-day of his conviction?

Answer. No, sir; I have not, but I have heard that some were committed for stuffing ballot-boxes.

Question. Who are the persons who have done these things?

Answer. The persons that have brought this about are the dozen or twenty I have referred to. I could give the names of all; some of them took one part and some another. When Pearce got into office, he was tickled and made a tool; that was so with the secretary of state, as nice a man as ever was in the world. But, like a man here in the city, who was on the grand jury, and confessed that he found these swindling processes going on, but he refused to sign the presentment, because it would hurt his business, and it is just so with these men; I speak of these general things; I will give you the facts if I can, or tell you those who can do so.

Question. I will ask you to do so, because it illustrates the misgovernment and insecurity of property in your midst.

Answer. There are men all over the State—capitalists who come here to invest their money; some have come for health, and some because it was a profitable place for money, which was 25 per cent. or more. Some invested money in this city, and that started property up here 300 or 400, or 1,000 per cent.; now it is going down again. Northern people were coming in here, capitalists and skilled laborers, and taking up lots quite liberally. We paid \$25,000 for the ground our hotel is built on, and when I first came here I could have bought it for \$5,000, I guess for \$3,000. The price went up in that way, because a new impetus was given to business here. Now there are hundreds of men who have invested here who are almost taxed out of the State.

Question. I want to ask you about that; what has been the increase in the rate of taxation?

Answer. It has increased abominably. A year or two after the war the tax in this county was about \$5,000, and now it is \$30,000, and, according to estimate, it may run up to \$60,000. Yet there are no improvements here, no court-house, and no jail fit to put a hog in.

Question. What has become of the money?

Answer. It has been squandered by office-holders. I am willing to testify that the governor got over \$10,000 out of one man for an office in this State, and he told me so.

Question. The present governor?

Answer. Yes, sir.

Question. He appoints officers all over the State?

Answer. Yes, sir. The man came to me; I saw what it would involve. I kept on in the party, but I never held any office. Now about buying votes—the secretary of state, Gibbs, was offered \$50 in one case to carry their point. They planned to get the convention, and they sent their negro agents all over the State. I am ashamed to say that many came from Washington. When they found a man they thought would suit their purposes, they said to him, "You help us, and we will help you." That was the talk; they said they wanted to control the State.

Question. Those men, you say, are carpet-baggers?

Answer. That is the common term.

Question. What is the meaning of the term "carpet-bagger?" Is it a man who comes here as an adventurer and not to identify himself with the people of the State?

Answer. Scarcely one of them comes here to become a citizen. Two or three were rejected because they had not been here long enough to be elected. It was disputed about some men that they had not been here long enough. That is true about the lieutenant governor; they put him in in spite of the law. Here is Mr. Cheney, who came here to run a paper, and I am ashamed to say that I helped to get him here. We began away back to get up a press, and he came here; he was a clever fellow, and so was Jenkins. Pretty soon he felt aspiring, and fell into this policy of sending their men all over the State. Money was furnished here to help carry a certain point. They went through the counties, and where they could get together a half a dozen men, they would nominate somebody who would be in sympathy with this party, and rule the State. When

they got together you know what they did; the governor got himself into office for four years at an enormous salary, more than the governor of New York has.

Question. What does the governor get?

Answer. He gets \$5,000 a year. When they got up there and voted this four years' office to the governor, and gave him all the appointments in the State, down to that of justice of the peace, one of them said to our mayor that he should be the favorite if he could control more votes than anybody else.

Question. Then it became a mere matter of trade, so much in exchange for profitable offices?

Answer. Yes, sir, and I will prove these facts; everybody that wanted office must pay, and the man who pays the most gets the office.

Question. Who gets the profit from the corruption-fund from the sale of offices in the State?

Answer. You can see, if you notice how these fellows live. Here is an instance of a collector, who is a defaulter to the State of \$30,000 or \$40,000, and yet he has his whisky parties, &c.

Question. What is his name?

Answer. It is Little.

Question. Where is he from?

Answer. From Connecticut. One of the richest men in this town, who came here from down east to build property and spend his life here, stated to an old gentleman here that, when he went on one of those parties at a certain time, they had their liquors and every other thing, and the fellow paid \$100 for it, and yet when he came here he was not worth a dollar. I know of another case where an office-holder spent money for forty-two bottles of champagne.

Question. For whom was that wine?

Answer. This clique; they have their suppers and parties, and get together for the purpose of managing to get the control of the State. I was with them considerable along at first, until we decent republicans found that they had nothing to do with republicanism according to our ideas; that their republicanism was all spurious and a swindle.

Question. All this has to be paid for by the property-holders of the State?

Answer. Yes, sir, as I will show you. I began to say something about the taxes. The taxes here were very moderate, as they used to be in Virginia. The planters and people would not tax themselves much, and would do hardly anything for the public good. By and by the taxes began to increase; we invested money, and went to building and improving. Then these fellows got into office, and the taxes began to increase year after year. There was a splendid lady up at Palatka, who was here for awhile as a teacher, and is now settled there. She came down to look after a colored woman who used to be her slave. She had bought a piece of land for her and gave it to her. She came to me to know about it; she has had it about six years. I told her she would lose it soon. She wanted to know how, and I told her by this swindling that was going on here. I called upon her, and the woman happened to have in her hand her tax bills for four years. For the first year it was a dollar and some cents; for the second year it was a dollar and some cents; and for the last year it was eight dollars and some cents. The whole property cost but \$50, and in three years it will be all eaten up by State, county, and city taxes—nothing of any account left of it. If you will read the presentment of the grand jury, you will see how these fellows have been swindling here. For four years they have been buying scrip to pay into the treasury. The treasurer will testify that he did not receive a dollar in money last year; that they bought scrip at thirty and forty cents on the dollar, and paid that into the treasury.

Question. These are the public moneys?

Answer. Some are loaning money at 3 per cent. a month to my knowledge. I see in the paper of this morning that the county commissioners have ordered an appropriation to pay interest at 3 per cent. a month. The whole property of this county and city is as good as any property in New York or Massachusetts, if properly managed. There was a meeting of citizens here. The county was bankrupt, and the prisoners were starving, and I with others contributed to feed them. Why, all this \$30,000 or more had been squandered. The people were alarmed and had a public meeting or two, and appointed a committee, a majority of republicans, to investigate the matter. It was two or three months before they could get at the facts, and to-day they have not got the books of the collector. He gave them a written statement that he kept his books in such a way that he could not tell what he had received.

Question. He is a carpet-bagger appointed by Reed?

Answer. Yes, sir, and kept in office and defended by Reed. Reed will go around here among the negroes and defend these men, and swear that they are perfectly upright, and that we are spiteful and enemies because we want office.

Question. You are not an office-seeker?

Answer. I cannot answer for that exactly. I have never held office, and I have refused a great many; I refused a nomination for this city, and somebody else got it.

I may say that I despise an office-seeker. As regards an office-holder, a man the people have selected to hold office, I respect him. But a man who goes around grog-shops and everywhere else for the purpose of obtaining votes to get into office, I despise such a man; yet that is a profession here at the South. I never saw anywhere else such tricks and schemes to carry a point and get an office. There was an instance here in this county. We wanted a new collector in place of Little, and we appointed a committee to go to the governor to get him to put in a decent man, and we recommended one. But he had his clue from the other party, who told him that he must put in somebody who had influence with the negroes. They have all the ministers in town, except one or two, to preach for them Sundays.

Question. Are those preachers colored?

Answer. Yes, sir.

Question. Do the colored ministers use the church as a political machine?

Answer. Yes, sir; and Reed has been there and made speeches, and told the negroes that he would die for them. I was there working in the Sabbath-school, and the governor came in. We invited him to address the children, and instead of that, he went into a political harangue to the people.

Question. This was on Sunday?

Answer. Yes, sir; and there is not a minister in town, but one or two, who will not do the same thing.

Question. I observe among the colored witnesses before us a great number of clergymen, Rev. Mr. Meacham, Rev. Mr. Pearce, Rev. Mr. Gibbs, &c. Are they of the class you have mentioned?

Answer. Yes, sir; I feel mortified when I see such men as Gibbs, highly educated, a nice man and a preacher. He got tickled by them with the idea of an office, and now he is put forward here to watch every movement of yours and everything else that comes up. They watch you to see what you are doing, and how they can head you off. That is why I said to you that I did not want to come in here to testify before some of these men who are sitting here at times, because they will seek to break down my character.

Question. What part have your United States Senators taken in this business?

Answer. Osborn is a ringleader; Gilbert is a nice man. I want you to understand this thing exactly, and not go home and gloss this thing over, without staying here long enough to find out what the facts are. We do not want you to take our testimony, but to possess yourselves of facts that are on record. I have no doubt Osborn is a ringleader. Mr. Gilbert is a nice man, but he has got into the ring; he has money, and he likes office. When it was said that he got his office because he had more money than anybody else, he spurned it. Yet in conversation I have heard him say that he contributed more than \$10,000 for campaigning purposes before he got his election. Others say that the men who pay the most get the offices—the judgeships, and all the subordinate offices, high sheriffs, county commissioners, &c. You see the effect of it in this simple fact, that the taxes increase a thousand per cent. a year almost, and sometimes more than that. Now, people who have money and can live where they please, are not coming here to support such a gang.

Question. In your opinion what would be the effect of attempting to collect, on the 1st of December, the taxes now levied here?

Answer. There would be mutiny; some would pay and some would not. Some have banded together already, and raised a fund to contest the matter in the courts. It is believed that Reed was bribed to issue that proclamation, here, now, on the spot. It has been some time since they have had much money; they have spent all their last year's taxes, and they want to get a new supply. Our lawyers say that the county taxes are illegal, and that we should contest this thing. You will see the matter stated in the speeches of the leading men in the tax-payers' convention, which, I am happy to say, was as respectable a convention as I used to find in Massachusetts.

Question. Do you refer to the proceedings of the tax-payers' convention held last summer?

Answer. Yes, sir.

Question. State the character of that convention, and whether you concur in the general result of their deliberations.

Answer. I just alluded to it because I thought it was important for you to know. They were not politicians as such; not persons who had axes to grind, but those who grieved at the state of things here, and were willing to confer together, and see what they could do to prevent people from being driven out of the State. It was assumed to be, and so hinted all around by the papers, a democratic secesh affair, intended to break up the republican party, and all that sort of thing. But it was no such thing; everybody was invited. I had been among these southern people; I had been fighting them, if you will allow me to be so blunt, almost ever since I have been here. I have told them that they must submit to the state of things, and that they should give up their secesh principles—their southern principles—and come into the republican party and purify it, and make a decent thing out of it. In this city, when certain men spoke

out and said they could not do any good, I told them that they would have all of us against them, and all of the colored people, because we held the colored people with us, as they were continually beating them, and the republican party gave them their freedom. We say to the southern men that if they want their interests protected, they must come over to us; that the republican doctrine is freedom, as it is the old democratic doctrine, now that the slavery question is out of the way. And I do not believe that there are twenty men of much influence in the State but what are ready to say, "Republican party or not, give us honest men, and we will vote them into office."

Question. That is the feeling of the people throughout the State?

Answer. That is what I am going to say; I went to the convention, not as a delegate, but to watch them, because, if the South is ready to do the right thing, we can get along. I sat and heard all their leading men debate, and I gave them my opinion, that there were no two ways about it, that the republican party would rule this country, and this State among the rest, and that they could not help it; that we had no sympathy with anything but the republican party, not with the ring; that if that was cured, we would be all right. They debated it and talked about it, and, as you will see in their report, finally declared unanimously that they were ready to sacrifice anything and everything and do the right thing. I watched them, I addressed them, I gave them my opinions as freely as I do now. They wanted to make a split, to get up a new departure, but they could not get the control of the colored people and the decent, honest republicans to reform the State until they combined together. And now their most influential men have pledged themselves to it. Here is Westcott, a leading editor, who did the same; he is now honest, and adopts this doctrine. They wanted the governor to suspend the operation of the tax law until the legislature could be got together and make an effort to have reasonable laws, and to cut down these enormous expenses. Now see the spirit following that. The excitement extended all over the State, and the people were led to denounce this ring that had voted themselves into office for four years, and who had taxed this poor little State for office-holders more than the State of New York was taxed for that purpose. A convention was held, and resolutions adopted for amending the constitution and reducing salaries; not much, a reduction of \$1,000 on some, and of \$500 on others, where the salaries were \$4,000 or \$5,000 a year, as in the case of judges who spent only a few days in the year in the discharge of their duties. That became popular, and we supposed it would go through without question. But what do we find but Reed, and Gibbs, and others trotting around the State, and recommending to the people to vote down the amendment, on the ground that all this money came out of the rich folks, and that the colored people would be all the better for it.

Question. What rich folks?

Answer. Southern mainly, but whoever here has money will have to pay the excess of taxes.

Question. You mean the white owners of real estate?

Answer. Yes, sir. They paraded this State and actually got a large vote in this city to vote down this amendment just to economize a little, and the other parts of the State barely saved it. The argument was, "It all comes out of the rich folks, and don't hurt you any." Now, we showed them that indirectly it came out of them, and not out of us, for if we are taxed \$2,000 or \$3,000, we can buy scrip and get out of it in that way comparatively easy, while they must pay their bills, because they are small. Every man was satisfied after investigation that the poor men actually had to pay this extraordinary interest, and that half of the burdens had to come on them after all, and now most all the men of intelligence among the colored people are on the other side against these abominable assessments. Some of the colored people have a little property worth a hundred dollars or so, and the taxes upon it will drive them into the poor-house. That colored woman, with the little piece of ground given her to save her from poverty, will lose every dollar of it for taxes, if this thing goes on for three or four years. The tax-payers' convention did what I did not recommend. I recommended them to make a fair fight in the State; they were pretty much all southern men; I do not believe there were a dozen others. They said, "Let us petition the governor to give us honest officers, and to suspend the tax until the legislature get together, and let us combine all over the State to exert an influence to moderate these things." In my opinion, it was literally creeping on their bellies. I have concluded that there is no use to expect any success unless they come into the republican party. They offered to start a conservative or Union party, but it is the republican party that rules this country. I told them to take the best men of the republican party, and put on their decent men, and carry that ticket, or to put on some of the colored men they had. Colored men have ruled this city in the senate until this swindle happened, and in the house ever since they had a legislature. They have had a senator and two members of the house ever since the legislature was organized, until this swindle of Mr. Jenkins.

Question. What qualifications for government and legislation have these colored men?

Answer. Not a bit. Gibbs is an able man, and Pearce knows something, but that is

not the question. The question is, who will exert the most influence? Here is Mr. Dennett, who used to run the savings bank. They came to him to make him shell out the money, and to pledge him the senatorship in Washington; but he did not get it because he could not raise enough money. Dennett went to Tallahassee, and waited two weeks, I guess, but he did not get it. He came back here storming, and went to Judge Hart, who was our candidate, but he did not know it, and told him his troubles, and said he was going to have it; that he would go back to Tallahassee and get it if he staid there all winter. Reed said to him, "I am ready to put you in nomination, but you look out, for if you get black-balled in the senate you will be disgraced. You had better go and see if you can get confirmed." The truth was, Reed and the senate were cheek by jowl. The fellow felt quite tickled at Reed being ready to nominate him, but he found that there were but seven in the senate who would go for him, and he came back here crying.

Question. Who was he?

Answer. Dennett was one of the men who was promised the senatorship in Washington. Some were promised judgeships, and every man was promised something. It was understood at the time that the senatorship was promised to six persons. Gilbert was one, Judge Hart was one, Dennett was one; I think Osborn was one. I do not speak by the book, but by general facts, and I will answer for all I have said. I may have easily omitted some things necessary to make it straight, but I was going through the mill all the time. Every man who was in the Army claimed to be a politician and sought an office, and if he did not get it they left the State. Jenkins came here and settled and got into office, and so with almost every other man; getting office is their business, their profession, their religion. There are men living here like millionaires, getting only \$50 a month to my knowledge.

Question. Would the legitimate salaries of their offices justify such a method of living?

Answer. No, sir; they would go to the poor-house if that was all.

Question. Have you any almshouse here?

Answer. There is a place.

Question. Is it a fit place for the poor?

Answer. There is a place in the city that is nasty, filthy, hot, and everything else. It was said before Judge Long's court that men there were rotting with lice and filth, because the county would not do anything. Here is Ledwith—

Question. Who is he?

Answer. A southern man, and, like some others when the war was over, they became Union men all at once, and very active in getting places. I am very sorry to say that Judge Long was one of them.

By the CHAIRMAN:

Question. T. T. Long?

Answer. Yes, sir; he is our district judge. I say things here I would not want to say out, because I am on good terms with them. But you will find men who fought for secession all the way through till it has gone by the board, and then, because they want to keep their property, they are sure to change and be on the successful side.

By Mr. BAYARD:

Question. That is like the Vicar of Bray?

Answer. I have heard of the name, but I do not understand it exactly. I am always suspicious of that kind of men. This Mr. Ledwith, who is high sheriff, holds three or four offices, and lets rooms at double and treble rents. He held this office and we tried to get Reed to put him out. Reed said it was incompatible for him to hold so many offices. He came here and started up, with two or three others of the old city government, to run this city for \$150,000. They went among the colored people, and said it would make money plenty and give them business, and they would prosper. The thing was like to rush through before we knew of it, and we had to get up a public meeting for it. The board of trade tried to remonstrate, and asked what it was for. They said they were going to build jails and poor-houses, and pave the streets, and I do not know what all. We contested that thing, and we could not stop it until we went with our remonstrance through the city, and got a majority of the votes of the city to oppose it. They rushed that, and it became popular.

Question. Did thy get the \$150,000?

Answer. I was going to say that finally they came around very mellow, and wanted to know what we were disposed to do. We found that we could not control them any way. They made their brags that they could buy 150 votes for \$150. I know that, two or three years ago, 200 votes were got for whisky, mostly colored people.

By the CHAIRMAN:

Question. And some whites?

Answer. Yes, sir; I do not think there is a cent to choose between some whites and some colored people in habits of laziness and everything. We got a committee to go to

headquarters and consult what could be done. We asked what they could get along with, with the present tax of \$30,000; we offered to raise money ourselves and lend it to the county, so that it could get along. They said if we would give them \$3,000, they could get through; but they did not get that, and the city is getting along pretty well now. It is running better than any county in the State.

Question. What was the result of such conduct on the part of your rulers, in the way of loss of respect and confidence of the people in them?

Answer. Somebody said here within a week, and I indorse it, that there was not so unpopular a man in the State as Reed. Nobody respects him, or cares for him, or will trust him, but people of no intelligence and the ring who want offices; they will run after him and vote for him.

Question. What I want to get at is this: has this conduct produced among the masses of the people an utter want of confidence in their rulers?

Answer. I think so.

Question. Has it affected the administration of justice and made people feel insecure?

Answer. There is no security at all; they can bribe them as well as stuff the ballot-boxes. We have facts to show that witnesses have been approached and offered money, and those in office have been given to understand that if they did not say so and so, they would be turned out of office.

Question. Did that pressure come from the ring that you speak of?

Answer. Yes, sir.

Question. What have you found to be the feeling among the white people of the State toward all respectable men coming here from the North to identify themselves with the people of the State, bringing capital here and settling in the State?

Answer. That is what I was referring to in speaking of that convention, in which I found so respectable, old-fashioned, and intelligent men, many of them. They expressed their delight and satisfaction at northern people coming here, and pledged themselves to treat them kindly. But the story is all around that the Ku-Klux are here, and that no man is safe. Now, there was not a word of bitterness in all that two days' session. They discussed politics a little; one man undertook to snub me a little because I referred to some of these facts. But they said, Let politics go; slavery is dead, and let us see how we can promote the prosperity of the State, and get people to stay who come here. People have come here and settled in various parts of the State, but many of them have abandoned their lands and gone off.

Question. Do you believe the object of the property-holders here, what we term the home people, is simply to obtain an honest government now?

Answer. I believe it; some of their most popular and influential men on the other side are ready to do anything. We tell them they must expect to be ruled by negroes until they come to their senses and are willing to co-operate in doing what is right. They say, "We are ready to put everything aside, to give up our principles, and vote for any ticket that promises reform, progress, economy, and respectability." That was announced and repeated over and over again in that body of a hundred men; that is their aim and desire now. When I first came here, they would have kicked us out of the State at any time; they were ready to spit in our faces. They did not know how things were going, and they abused us. We gave them to understand, after we had borne it a great while, that we would not stand it any longer; that we had whipped them once and would do it again, and we have faced it down. There are always some men who say they will have nothing to do with Yankees. We gave them to understand that they had better look to their bread and butter; that it was root hog, or die; that if they chose to co-operate, well and good; but that we were here, and intended to stay here; that we had the army here, and felt safe enough. Several of their old stand-bys and leading men got up, and publicly avowed that any one who would come here and settle, and support the interest of the State, would be well received; and from that day to this I have found it so, and I have been well treated by them. I told them they must take that position, and they have come to that conclusion. Mr. Webster here stopped me on the street, and said, "We must adopt your policy and submit to the rule of negroes," and I told him I was glad of it. My belief is that if the General Government would put decent men in their offices here, and use their influence to promote these things, they would get nine-tenths of the votes here; that if it was properly represented to the southern people, they would vote for the republican party and sustain its principles.

Question. Are the United States officials in this State generally connected with the class of men you have spoken of?

Answer. Certainly; they are the ring-leaders. Some of them who are holding offices here, and have been, are not residents of this State.

Question. Who are they?

Answer. Here is Major Purman, for one, and there are a number of that stamp. I do not know but there are many who are not residents here.

Question. Is Major Purman one of the ring you speak of?

Answer. Yes, sir; he holds a Government office. Now, to show you that the spirit of

unsafety is more from those men than from all the Ku-Klux, a gentleman here in the custom-house got hold of some of these facts in regard to the dishonesty of this Little, and because he wrote a communication about these things to the papers, and asked why such things were tolerated, he is brow-beaten in the city and cowhided in a public square.

Question. Who is he?

Answer. An employé in the custom-house.

Question. You have been here in the State for some time, and know a great deal about the feeling of the people. Would you have any hesitation in settling in any portion of the State where your business and desires might carry you?

Answer. No, sir; not if I could go there with some assurance of anything different from what has happened in one or two of those counties. I believe these rings have coveted to bring about Ku-Klux, so that they could make capital at Washington and elsewhere, and keep themselves in power.

Question. These people have combined to get up these Ku-Klux cases?

Answer. I believe so, from the fact of their boasting about them. One of them said, "It is the best thing in the world for our party to have such things occur; we can publish them, and create a sensation that will foster our party;" that is, the republican party.

By the CHAIRMAN:

Question. Who said that?

Answer. I do not call to mind now who it was; it was rather a boast among the men who were talking about this very subject, because we had got Governor Reed to appoint a democrat and a republican to go up in Jackson County and see the people and confer with them as to some men who would not be offensive to them. When two or three cases occurred in that county, we were talking together about them, for I associate with all these folks, though I do not approve of all their course. They made the boast that a few such cases as those would do us more good than hurt, and I believe they covet such cases. Now, if Reed and the sheriffs and such folks would announce their purpose to have the law obeyed, and were determined to arrest those folks, they could carry it through, I believe. My belief is, that to-day, if Reed would adopt that policy and issue his orders they would arrest all these parties and condemn them. They all profess to me that they have no sympathy with such things, that they are some drunken fellows who have done it, that it is not for them to ferret them out. Now there are some bad fellows, who do more hurt than good, because they keep up the old prejudices, and this state of things existing here gives them a text and maddens them. Now if the governor and other leading officers here from the North were friendly to the prosperity and progress and development of the State, everybody would say that was better than quarreling, and in my opinion they would give that all up. But when they are abusing us so as to strip us of our property and drive us off, it destroys all hope and makes men desperate. Therefore, if they undertake to collect the tax on the first of December there will be bloody work.

By Mr. BAYARD:

Question. You spoke of men being sent out to Jackson County to confer with the people.

Answer. The governor appointed a man that was obnoxious, and that caused an enmity on the part of some people, and by and by they concocted a scheme, a sort of drunken frolic, and knocked him over. They complained that the citizens would not arrest them, or perhaps that knowing the facts they would not bring them in guilty. The complaint is that it is only swindling, unprincipled chaps through the county who manage this kind of thing, and who do not care how much offensive matter may come out of it.

Question. You say that here they have been using the negro churches as a political machine?

Answer. I do not know personally about that; I had come here and gone to work in those churches as a Christian man, in the Bible classes, &c. I do not know about their churches, but the ministers who come from there are of that class. It makes my blood run cold sometimes, when I think what prosperity and progress might be enjoyed in this State, if we only had a decent State government, and the co-operation of the Federal Government, and the assurance of the southern people to come into a fair state of things under the republican standard. I say that if they do not do that we will quit the state and they may rot. Now it is crushing every young man who comes here to settle, and deprives all the colored of every prospect of ever rising in this world, by the existing taxes and various other things to make tools of them. I have spent so much of my life in trying to promote and establish what I thought were anti-slavery and republican doctrines, that it makes me ashamed to see avowed republican men, come down here to cut and carve out a state of things hostile to prosperity and honesty and reputation and everything else.

Question. You have had a system of railways projected through the State?

Answer. Yes, sir.

Question. How are the loans handled which are issued by the State in aid of those railroads?

Answer. I cannot answer that question so well. I understand substantially that the governor has been fool enough to pledge four or five millions of dollars to aid in building a railroad, and to bring persons here upon condition that they would complete the railroad through to Mobile. Well, as I understand it, they have got somebody to sign those bonds and to put them in condition to be issued by the proper officer whenever proper progress is made. But the result has been, so I have been told, and I have reason to believe it is true, that those bonds have been got possession of and sent to New York and Europe and squandered. You will see all that in the report of the taxpayers' convention. And the proceeds that will be realized to the State, after commissions and discounts, &c., will be about thirty cents on a dollar.

Question. Have you read an article in the Tallahassee Sentinel, of October 23, 1871, taken from the Floridian, entitled "What has become of the proceeds?"

[The article is as follows:

"WHAT HAS BECOME OF THE PROCEEDS?—It is now pretty generally understood that the larger portion of the proceeds of the four millions of State bonds issued to the Jacksonville, Pensacola and Mobile Railroad Company in 1870, has been squandered or misapplied. The bonds were issued ostensibly to enable that company to 'complete, maintain and equip its road,' but no such purpose has been subserved, except to a limited extent. Out of the proceeds of \$2,800,000 of the bonds, there have been partially graded and prepared for the iron *nineteen and a half miles of road bed*, all of which is not yet paid for, and an alleged purchase of iron for a like distance, of which some ten miles only have been received and laid. Not an engine or a car has been purchased, or anything done, except in the particulars mentioned, towards completing, or extending the road. For a better understanding of the use to which the proceeds have been applied, we append hereto an exhibit made by S. W. Hopkins & Co., contained in a sworn bill filed in a New York court asking that the Jacksonville, Pensacola and Mobile Railroad Company be restrained from prosecuting S. W. Hopkins & Co., on account of their agency in the sale of the bonds and the disposition of the proceeds. The bill sets forth their contract with Gen. Littlefield, as president of the road, which contract secured to them the exclusive right to sell the four millions of bonds already issued as well as three millions more yet to be issued. The bill also alleges that 2,800 of the bonds for \$1,000 each, making \$2,800,000, were sold for £138 1s. 10d. each, and that in order that the agents might be reimbursed their expenses attending the negotiation and sale of the bonds, they were offered to S. W. Hopkins & Co. by General Littlefield for £100 sterling each, *after* General L. had been informed of the price at which they had been previously negotiated. The following letter from General Littlefield making the offer is set forth in the bill:

"58 OLD BROAD STREET, LONDON, November 14, 1870.

"GENTLEMEN: I herewith offer you four thousand (4,000) Florida State 8 per cent. gold bonds, in aid of the Jacksonville, Pensacola and Mobile Railroad Company, for \$1,000 gold each, at the price of £100 sterling for each bond in the city of London, subject to the commission agreed as per contract, dated 13th day of April, 1870, with your good selves.

"I remain, gentlemen, yours, faithfully,

"M. S. LITTLEFIELD,

"President Jacksonville, Pensacola and Mobile Railroad Company.

"Messrs. S. W. HOPKINS & Co., London."

"On the 28th of the same month, S. W. Hopkins & Co. accepted this offer and thus became the purchasers of the whole four millions at the price mentioned. The bill further alleges that the proceeds were disposed of as directed by General Littlefield; that \$800,000 of the four millions were directed and agreed to be turned over to North Carolina, which direction was subsequently disavowed by the directors of the Jacksonville, Pensacola and Mobile Railroad, and this disavowal was the origin of the suit by the commissioners of North Carolina against S. W. Hopkins & Co.; that prior to the contract with S. W. H. & Co. to sell bonds, General Littlefield had contracted with L. P. Bayne & Co. (the parties who now hold some \$400,000 of Florida 6 per cents. for a large loan to General L.) to negotiate their sale, and that Bayne & Co. claim commissions under their contract, which S. W. H. & Co. have been instructed to allow and pay. There are many other allegations in the bill which it is not now necessary to refer to. The most interesting portion of the *exposé* is 'Schedule F,' which accounts for the disposition of the moneys received for 2,800 of the bonds, which schedule is in words and figures as follows:

"SCHEDULE F.

"Statement of advances made by S. W. Hopkins & Co. for account of the Jacksonville, Pensacola and Mobile Railroad Company :

| | | |
|--|--------------|----------------|
| Iron shipped to Florida by sundry vessels | \$153,938 05 | |
| Premium of insurance on do | 1,156 13 | |
| Freight on do. paid | 1,876 14 | |
| Drafts paid and acceptances given as follows : | | |
| James G. Gibbes | 155,000 00 | |
| Jennie Hunter | 300 00 | |
| A. Huling | 5,000 00 | |
| F. A. Dockray | 5,000 00 | |
| J. P. Sanderson | 67,193 33 | |
| J. L. Regua | 5,000 00 | |
| A. G. Cattel | 735 00 | |
| J. B. Clarke | 75,000 00 | |
| Balance of judgment <i>vs.</i> Pensacola and Georgia Road, with interest | 30,000 00 | |
| J. St. Meech | 12,000 00 | |
| R. R. Swepson | 50,000 00 | |
| First National Bank, Knoxville | 19,684 36 | |
| B. F. Bruton | 10,000 00 | |
| John Rankin | 9,225 17 | |
| J. R. Campbell | 1,976 87 | |
| W. W. Hubbard & Co | 500 00 | |
| W. Cummings & Co | 466 61 | |
| Drew & Davis | 377 53 | |
| S. B. Stephens | 300 00 | |
| Grocers' Bank judgment <i>vs.</i> Road | 5,790 75 | |
| Mrs. E. Holland | 300 00 | |
| John T. Deweese | 20,000 00 | |
| Balance due on Jacksonville property | 2,590 04 | |
| Governor Reed, on account | 3,500 00 | |
| D. P. Holland, on account | 4,630 00 | |
| M. S. Littlefield | 1,178 50 | |
| For engraving draft-book and letter-heads | 35 25 | |
| T. B. Coddington, on account of E. Houston's claim, \$1,000,000 bonds | \$57,895 33 | |
| E. Houston, account do | 122,000 00 | |
| | <hr/> | 179,895 33 |
| M. D. Papy, do | | 16,000 00 |
| Traveling expenses to and from Florida, hotel fares, ocean cables, and other expenses while there, of S. W. Hopkins and T. B. Coddington, and advances to R. Steward | | 6,216 38 |
| J. B. Clarke, for express to Florida | | 100 00 |
| G. B. Carse, for express to Florida | | 60 00 |
| R. Steward, Washington | | 100 00 |
| Advertising July coupons | | 36 90 |
| Legal expenses defending suits, by N. W. Woodfin and L. P. Bayne | | 17,850 00 |
| The following payments, made in London : | | |
| M. S. Littlefield, while in England | £4,981 18 5 | |
| Draft from Florida | 4,433 19 3 | |
| Baring Brothers & Co., for A. Barnett's claim .. | 19,349 14 1 | |
| Brokerage on iron purchased by order Littlefield | 638 07 6 | |
| Clews, Habicht & Co., for G. W. Swepson .. | 3,717 18 7 | |
| Commissioners of W. D. of W. N. N. C. R. R. | 10,000 00 0 | |
| | <hr/> | 233,020 20 |
| | | \$1,096,032 54 |
| CR. | | |
| For 2,800 Florida State bonds, as per agreement, £100; less commission, £10; less deposited with trustees to meet 3 coupons, £24=£34, is £66 for each bond | £184,800 = | 997,920 00 |

| | |
|---|-------------|
| Amount now due S. W. Hopkins & Co. for actual cash advances and acceptances | \$98,112 54 |
|---|-------------|

S. W. Hopkins & Co. are obligated for the following amounts against proceeds of bonds, viz:

| | | |
|---|-------------|------------|
| R. H. Gamble | \$15,000 00 | |
| F. H. Flagg | 4,000 00 | |
| S. B. Coddington | 25,000 00 | |
| L. P. Bayne & Co | 200,000 00 | |
| I. H. Porter | 10,000 00 | |
| D. P. Holland | 17,365 00 | |
| American Bank-Note Company, for engraving bonds | 2,572 49 | |
| W. D. of N. C. R. R. Company | 350,000 00 | |
| Governor Harrison Reed | 223,750 00 | |
| | | 847,687 49 |
| | | 945,800 03 |

S. W. Hopkins & Co. have received notice of the following claims:

| | | |
|----------------------------------|------------|--------------|
| Bayne & Rogers, (attached) | 105,000 00 | |
| R. R. Swepson, draft | 21,216 00 | |
| | | 126,216 00 |
| | | 1,072,016 03 |

"It will be seen from this astonishing 'balance sheet' that only \$308,938 of the proceeds of \$2,800,000 of bonds have been applied to the purpose for which they were issued, viz, completing, equipping, and extending the road. It seems that the bonds were sold by Hopkins & Co. for about 66½ cents on the dollar in gold; that they were subsequently sold by Littlefield to Hopkins & Co. for about 48½ cents; and that after commissions and a year and a half of interest had been deducted there remained applicable to the use of the company about 32½ cents on the dollar in currency. We know very little of the accuracy of the exhibit, but it is apparent that no inconsiderable portion of the money has gone to parties who had no legitimate claims on the road. We may remark here that some of the alleged payments and acceptances were for legal services, and for stock in the Central road, (as is the case, we are informed, with the Hon. M. D. Papy and R. H. Gamble,) which road could not be bonded until parties holding the stock could be settled with, they refusing their consent to a heavy lien being created so long as they remained stockholders.

"Taking this exhibit all in all, it is a remarkable exposure for the people of this State, who are expected to pay the bonds at maturity, to ponder. For the present, we leave the matter to their consideration. There is much not yet told in connection with these and the bonds yet to be issued, which, in due time, will be made known."]

Answer. I have looked it over.

Question. Do you concur generally in the statements contained in that article?

Answer. I believe it is true. I took occasion yesterday to inquire and find out what we can substantiate beyond that; they say that has not been denied by anybody, and that there is a great deal more not embodied there, showing how the whole of our State has become mortgaged in bonds to these fellows.

Question. Did they say that you people would have about 21 per cent. per annum in gold to pay on the loan?

Answer. Yes, sir. These statements of expenditures are not denied.

Question. Who is the chief manipulator of these bonds?

Answer. I do not know.

Question. To whom were they issued?

Answer. They were issued to be in the hands of the State trust committee, I think. The State is bound by some obligation to be under the direction of that committee; Mr. Adams is one of them. I suppose they were in their hands with instructions to deliver them so and so; but somehow Reed got them out, as I understand, and issued the whole of them, and they have gone into the market, and the road is not done.

Question. I observe here that the house of Hopkins & Co., of New York, are the persons of whom the claim is made; who placed these bonds in the hands of Hopkins & Co?

Answer. Littlefield, who I understand figured around the governor and got the bonds, and then, as stated there in the article, he went to Hopkins & Co. and made arrangements to get money on them. I went to Mr. Adams yesterday to find out about those things; we have had one of your supreme court judges down here to test some of these things. It was brought out here that there was a reserve sinking fund in the hands of this committee. Mr. Adams, the secretary, could give you chapter and verse about it. I only know what is general report, and what has not been denied of these facts. He is not here now, but will be here to-day.

Question. Is there any printed statement of those facts ?

Answer. I do not know that there is. They never knew anything about this until those folks in New York brought it out.

Question. It came out in a suit in the courts of New York ?

Answer. It was reported that North Carolina was swindled a great deal by Littlefield, and they issued an order on our governor to deliver him up, but the governor was bought up, we think, and would not do it. Then this process was gone into of bonding the property of the State, and they undertook to carry that scheme out. A lawsuit was brought to restrain them, or to get an injunction on them, or something of the kind, and that brought out these points we have got here ; we did not know them before. That gave us new light, and gave us fright, that we should be ruined and bankrupt if our bonds go off in that way, and we get nothing for them. Then there is the Improvement Land Company, where they gave away 1,100,000 acres of the best land in the State, at 10 cents an acre ; some of it worth two, or three, or four dollars an acre.

Question. Who got that ?

Answer. New York parties, under the pretense that they would import population into the State ; that they would sell lands all over the State, where they might select them, at 10 cents an acre. We have had a lawsuit, and have had Judge Bradley down here trying that case ; we found that was another swindle, and he put an injunction on it. That, and this North Carolina affair, and the Hopkins affair have brought out a lot of facts that we did not know. As I say, it is a process, that as time rolls on will bankrupt us, and everybody will be driven out of the State. We see no end to it unless you will help us, and it is precious little to ask for. I told some of my old associates last winter, when I was in Washington, General Wilson, and General Butler, and others, who were inquiring about the state of things here, that there was such a state of things going on here that it was ruinous and should be checked.

Question. Is there any soreness about the disfranchisement of certain classes by the fourteenth amendment ?

Answer. There was a great deal, though there are but very few affected by it.

Question. What would be the effect of a general measure of amnesty ?

Answer. Well, I do not believe it would do any good, because they would be encouraged to band together and fight. In other States they keep it up now, the hostility and persecution and all that, where they are rich, but here they are poor, and there are so few of them that are not influential ; they used to carry their points by money, and bribe the press and leading men.

By the CHAIRMAN :

Question. When did they do that ?

Answer. All through the war, and prior to the war, in my judgment. I believe they used to keep men in Washington, and New York, and Europe, and pay them. I am satisfied that the southern people who were rich were determined to control the country, or ruin it if they could. I have had quite a combat with Butler about that. The result of my mission was this, that they employed presses, and got men to spend their time in Washington, just as we are obliged to spend time in Tallahassee to overrule this state of things, and offset them. But seriously, the principle first brought out by Marey, that "to the victors belong the spoils," has been carried out, and it is in existence now in the minds of a great many. But in this State I am glad to say that we are pretty much free of that kind of thing ; there is nobody to bribe or to be bribed.

By Mr. BAYARD :

Question. You mean on that side ?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Their own weapons are turned back on them ?

Answer. Yes, sir ; and I tell them I am glad of it.

By Mr. BAYARD :

Question. Was there ever in the history of Florida such a reign of taxation and corruption as there is in this State now ?

Answer. I do not know.

Question. Was there ever such corruption in this State ?

Answer. There might have been some corruption, but they made no improvements ; I was not here ; there was a great deal of using of their biggest men, sending them abroad and having them in public places, so as to rule public sentiment.

Question. Out of the State ?

Answer. It was here more or less, more formerly than now, for they had rich men formerly. But now we have old secesh men, who formerly were rich men, influential men, but when I came here first they pleaded poverty, and could not pay their bills, but now they have got beyond the fear of confiscation, and they are coming out and

building houses and loaning money; some of the richest people we have here now are those who, when I first came here, were as poor as Job's chickens, professedly.

Question. Where was their money?

Answer. I do not know; but they had it somewhere.

Question. They feared confiscation and kept secret the fact that they had means?

Answer. I think so.

Question. Are those the men who have been interested in the government of this State?

Answer. They were formerly.

Question. I mean during the last six years?

Answer. No, sir.

Question. Have they not been excluded from any participation in the government of the State?

Answer. Yes, sir; everybody was excluded who was tinctured at all with democratic principles, or who was a southern man, unless he comes out like Judge Long or Judge Ledwith and some such men, who are as blackhearted scoundrels as any of them, but who turned over and became noisy republicans, and got some of the best offices in the State. I am on good terms with Judge Long, but I use him to illustrate the fact. But there is rather a pleasant feature to me to find that the old rebels who helped to carry this State into the rebellion, and who fought for it all the way through, old Colonel Anderson, and some of them, are the quietest men. They do not approve much of what has been done, but they acquiesce and are now willing to make the best of it, and would do all they could do to promote the progress and prosperity of the State. I have been asked forty times to send forward statements that the southern men were polite and kind to strangers. President Sears was here some years ago, in connection with the Peabody fund for the benefit of schools all over the South. I used to know him, and I asked him what he was here for. He said, "I have been here two days trying to find somebody interested in schools." I said, "Come with me, and I will show you." I took him to Judge Hart, to the mayor of this city, and to a few leading men here. He promised to furnish funds to support a teacher. Some of the old leading men here, Anderson and others, came out and made speeches announcing that they acquiesced, that they were thankful to have help; they said they were embarrassed and poverty-stricken, and could not do anything, but they were delighted to find that somebody would befriend them, and said that they would provide the places and all that.

Question. Those were the old secessionists?

Answer. Most of them were the old rebels, principally of that class of men.

Question. Did they desire to avail themselves of the kindness of Mr. Sears?

Answer. Yes, sir; they pledged themselves to build school-houses, some of them did. The rich men generally send their children to the North. They got a system up in the legislature for a free-school system, but this brutal system has swallowed up all that, and the schools did not get it; the fund given by Mr. Peabody is not available, because they have not complied with certain conditions.

Question. Am I right in taking the substance and gist of your testimony to be that the disorders now existing in Florida, and the evils that now afflict you here, are caused by the corrupt and inefficient State government, and by the officials here, both State and Federal?

Answer. In my opinion, that is God's truth, with few exceptions.

Question. The exception in the State government is the one you have made, the State comptroller, who, you think, is an honest man?

Answer. I might except some others if I knew them all, but I do not know anybody but him; he has exposed some of them. Here is \$20,000, \$30,000 or \$40,000 of one of the collectors locked up here, and they do not call upon him or his bondsmen.

Question. I will ask you another question; from what you have seen of the people of Florida, and from your experience here, do you believe that the disorders which now afflict you in this State, would cease if an honest and respectable State government was organized from her people, and honest men were selected to represent her interests?

Answer. I have no kind of doubt of it; I have had the pledge of a hundred of the leading men in different parts of the State, that they would all acquiesce and thank God and everybody else if they could see that brought about.

By the CHAIRMAN:

Question. What is your age?

Answer. I am sixty-nine years of age.

Question. I understand that formerly you belonged to what was called the abolition party?

Answer. Yes, sir; and then to the free-soil party, and then to the republican party.

Question. When did you come to this State?

Answer. Six years ago.

Question. You brought a great deal of capital here?

Answer. Some.

Question. How much?

Answer. Our family brought about \$100,000 here; we have invested in a hotel and some houses here. I have been instrumental in bringing, perhaps, a million of dollars here.

Question. I want to know how much you brought?

Answer. All our family, about \$100,000.

Question. How much have you yourself brought?

Answer. Sometimes I have had more and sometimes less.

Question. You did not bring all your capital here?

Answer. No, sir.

Question. You have referred to Judge Long; what is his character?

Answer. I thought I had given you a pretty good synopsis of that.

Question. Is he a man of good or bad character?

Answer. Very bad.

Question. In your opinion, is he not a disgrace to his office?

Answer. Yes, sir, and to his party.

Question. Have you ever heard of a respectable widow lady going to him to get some advice about her husband's estate, and that he offered to make any order she pleased if she would submit to some vile proposition of his?

Answer. I have heard of it.

Question. Do you believe it?

Answer. I do.

Question. You spoke about some man who gave \$10,000 for an office; who was he?

Answer. I do not want to call names.

Question. I want you to call names.

Answer. Then wait till that man [pointing to United States Marshal Conant] goes out and I will tell you. [After a pause.] It was Mr. Gilbert.

Question. He gave Governor Reed \$10,000 for his present office as United States Senator?

Answer. Understand me exactly. It was reported about that he had bought the office, and in talking over political matters with him, I told him what the rumors were, and he repudiated the whole thing, and seemed to be very much astonished at the idea of buying an office. But he admitted that he had contributed very largely to campaign expenses, &c. I told him that I had understood it in that way, that he had contributed largely to campaign expenses, that he was a good man to bleed.

Question. In other words, he had contributed \$10,000 to the campaign expenses of the republican party?

Answer. He told me that he had given more than that.

Question. And the legislature afterwards elected him to the United States Senate?

Answer. Yes, sir.

Question. That is what you mean by his giving \$10,000 to the governor for an office?

Answer. He said it cost him more than that for political purposes; when he was appointed we did not know who he was.

Question. Is that what you meant to say?

Answer. I do, that it cost him more than \$10,000 for political purposes.

Question. In the way you have mentioned?

Answer. Yes, sir.

Question. I understand you to say that there is only one honest man connected with the government of this State, and he is the comptroller?

Answer. That is my belief.

Question. And all the rest are—

Answer. What we call policy men, who hold that the policy must be carried out at whatever cost of principle.

Question. You have spoken of Governor Reed; is he a wealthy man?

Answer. No, sir; he came here poor; he has been sued forty times.

Question. Has he exhibited wealth at times?

Answer. He has been well off, but I guess he is pretty poor now; he has been sued and his property has been attached.

Question. Has he much property?

Answer. Not a great deal; I think he has spent his money traveling and electioneering, mostly.

Question. Did you know him at the time he was elected?

Answer. Yes, sir.

Question. Did you vote for him?

Answer. I think so.

Question. Did you at that time regard him as an honest man?

Answer. I did not like his policy, but he was nominated by the republican party.

Question. Did you regard Mr. Gibbs as an honest man then?

Answer. Yes, sir; I had full confidence in him as a Christian minister.

Question. Did you know Mr. Purman?

Answer. Not then.

Question. Did you know Mr. Dickenson, who was killed?

Answer. I did not.

Question. Did you know Dr. Kreminger, who was killed?

Answer. Not personally.

Question. Did you know Dr. Yearty, who was killed?

Answer. Not personally.

Question. Do you include all those men in your list of felons and rascals?

Answer. Those that were killed?

Question. Yes.

Answer. No, sir; my list embraces less than twenty persons, and they are most all here; two or three have gone off.

Question. You have told us about the United States officials in this State, and you said you did not wish the United States marshal to be present while you were testifying here.

Answer. I did not; I do not think my life would be safe here, if it could be taken secretly, if it should be known what I have told you.

Question. What do you say about the United States district attorney here, Mr. Bisbee?

Answer. That is true; I think he is a fine man.

Question. You have confidence in him?

Answer. I have. When we were electioneering in the early part of the campaign in this State, he was proposed for governor, and he refused to go into the ring. When he saw how Reed was cutting and carving in the affairs in this State, he declined to be part and parcel with them, as I and several others did. We rather stand out.

Question. Have you held any office since you have been here?

Answer. No, sir.

Question. Have you been an applicant for any office?

Answer. No, sir; I never was.

Question. You have never sought any nomination?

Answer. No, sir; but I have refused a great many.

Question. You never wanted any office?

Answer. I never had any inclination that way.

Question. Where were you during the war?

Answer. I was in the war, fighting the battles of freedom.

Question. In what capacity?

Answer. As superintendent of the freedmen, prior to the Bureau. I ran the Bureau a long time before it was organized.

Question. Where were you stationed?

Answer. At Fortress Monroe. I was there all through the war and a year after the war.

Question. Did you have an opportunity to purchase any lands that were sold for taxes?

Answer. In Virginia, yes, sir.

Question. Where did you purchase any?

Answer. At auction; there in Norfolk.

Question. Do you hold those lands now?

Answer. Yes, sir.

Question. How much in amount and value?

Answer. Not much less than \$10,000.

Question. Have you sold any?

Answer. No, sir; they are not worth anything. Confiscation of lands does not last only through the lifetime of the old owner. As long as you have brought that up, (I know you would not do it unless it was put in your mind,) I will say that we bought those lands under the sanction of the Government to cut up and parcel out to the negroes ten acres apiece, to make them homesteads. I was arrested and tried for ten days by a court-martial for swindling the Government, by old General Ord, who accused me of everything vile and disorderly.

Question. What was the result of that court-martial?

Answer. I was exonerated, where there was over \$200,000 involved.

Question. You were court-martialed for embezzling from the Government over \$200,000?

Answer. There was as much as that involved. I had charge as quartermaster and disbursing officer of Government affairs in relation to freedmen and abandoned lands. For a great while I saved the Government a thousand dollars a day in making the negroes support themselves.

Question. What was the result of that court-martial?

Answer. If you will read the result I would like to have you read it, (putting his hand in his pocket.)

Question. You have it here in your pocket?

Answer. Yes, sir; I supposed it might be brought up, and I put the piece in my pocket. As long as you propound such questions, I would like to have you know what this is, rather than to take my word for it. I believe all on the court-martial were democrats. I want to have this paper read before all these gentlemen.

Question. From what paper is this taken?

Answer. From the Washington Chronicle, I believe; I am not sure.

[The paper referred to is as follows:

"CAPTAIN CHARLES B. WILDER.—We have mentioned the fact of the arrest of Captain Charles B. Wilder, of this city, superintendent of freedmen at Fortress Monroe, and his acquittal by the court-martial convened by General Ord; but the following is a sequel to those transactions which must be gratifying to every friend of Captain Wilder, as it is most complimentary to himself. It is addressed to General Howard, of the Freedmen's Bureau, and signed by Charles K. Graham, Brevet Major General; W. K. Howard, Colonel Thirteenth United States Artillery; R. V. W. Howard, Lieutenant Colonel Third Pennsylvania Artillery; Oliver Wetmore, Major Thirteenth New York Artillery; John Stevenson, Major Third Pennsylvania Artillery:

"The undersigned, officers constituting the court-martial for the trial of Captain C. B. Wilder, assistant quartermaster, and late assistant superintendent of negro affairs in the Department of Virginia, take pleasure in recommending Captain Wilder as a competent and fit person for a prominent position in your Bureau.

"The investigation of the charges against Captain Wilder led to an examination of his acts, and the management of his department during the whole term of his administration, covering a period of more than three years, during which time nothing was found calling for complaint, but much was disclosed meriting praise and commendation.

"Among other things, the evidence disclosed the fact that Captain Wilder was the only Government officer who interfered at the proper time to save the improvements made by Government on the confiscated lands offered for sale, and to protect the interests of the freedmen in their occupation of the lands.

"The evidence offered by Captain Wilder in his defense showed the intention of Captain Wilder in bidding off certain lands to have been to promote the interests of the freedmen, and not to appropriate them to selfish or speculative purposes.

"We have reason to believe that few Government officers can exhibit a more economical, faithful, and correct record of the management of their departments than Captain Wilder is able to show of the administration of the affairs of his department of assistant superintendent of negro affairs.

"We therefore most willingly recommend Captain Wilder for some important position in a department where he has had so much experience and exhibited so much ability and fidelity to the Government.""]

Question. Were you afterwards appointed as there recommended?

Answer. No, sir; I have the original of this in writing.

Question. You were a wealthy man when you went into the war?

Answer. Yes, sir; I was able to take care of myself. I never had a dollar but what I worked hard for. I spent the money for land to favor the colored people, but finding it would not give them a good title I was advised not to let them have it.

Question. What do you think, after experiment and trial, has been the result of giving the negroes the elective franchise and the right to hold office?

Answer. I was sorry to see it at first, for they were not fit for it; but it was the only remedy against the secesh vote, which was right the other way. When I first came here I should have been driven out of the State within the first six months if I had not asserted my rights. We could not have any control or peace here if there was no influence but that of the southern people.

Question. Well, after the trial that has been made, what is your opinion of giving the negroes the right to vote; has it been a success or a failure?

Answer. Well, sir, neither, in my opinion. I was sorry to see it until they were better qualified. But I believe it was a necessity, and has been a benefit. It was about the only thing to bring the southern people to their senses, and I am glad to see it.

Question. Do you think it is any longer necessary that they should be allowed to vote?

Answer. Yes, sir.

Question. How long will that necessity continue?

Answer. As long as they live; they will become informed and get qualified faster than the poor whites.

Question. Suppose the secesh element had acquiesced in the authority of the Government, and had not kept up this hostile and bitter opposition to it, do you think it would have been wise, in that case, to let the colored people vote?

Answer. I do not think there would have been any occasion for it. I always deprecated it until they could be put on probation for a while.

Question. I wish to get your opinion, whether they are fit for self-government.

Answer. No, sir; but I think they are as well qualified as one-half of the white people here are. I do not think they ought to have the control of this State, nor yet the whites. One is about as good as the other. I have seen as much meanness on the part of the whites as on the part of the colored people; they are as easily bought up.

Question. Do you confine your opinion to these people in charge of the State government, who, you say, are so dishonest and corrupt, or do you extend it to others?

Answer. To everybody that participates and backs them up.

Question. You say there is a class of white people who are quite as unworthy as the blacks?

Answer. Yes, sir.

Question. Is that a large class in this State?

Answer. Quite a considerable class; what we call poor whites.

Question. Are they new comers or old residents?

Answer. Old residents.

Question. Then how many people do you think there are in the State of Florida—what proportion of the people here—are capable of being intrusted with self-government?

Answer. It would be mere guess-work. I do not think I could give a very intelligent answer to that question. But, my opinion is, that one-half of the colored and white are unfit, for they are ignorant, and do not know what is for their best interests. These demagogues go about and deceive them, and get them to vote them into office and power. They will promise them a thousand things which they will never get.

Question. Is that peculiar to Florida?

Answer. I do not know but it is so in other States. I have had more experience in this State and in Virginia, but they had no privilege of voting there then.

Question. You took part in politics before you came here?

Answer. Yes, sir.

Question. You have spoken of General Butler. During the past summer, he has been making a pretty severe arraignment of the State officials of Massachusetts, has he not?

Answer. Yes, sir, and very justly, I think.

Question. You think they are amenable to the same sort of censure as the officials of Florida are?

Answer. In a sense they are, I am ashamed to say.

Question. His arraignment of them has been quite as severe as yours of the officials of Florida?

Answer. I think it has, and I do not think he has said ten words there that were not true. I do not believe in many things he has said and taught, but I do really think with him about that policy. You will see it in New York, more or less—the policy of office-holders and managers. When they have been in office a great while, and have control, they cut, and carve, and parcel out. You see how they betrayed the temperance people, opening their beer-shops and grog-shops, as they do in London, to degrade the people.

By Mr. BAYARD:

Question. And you are opposed to such persons and practices?

Answer. Yes, sir; I think it is to degrade the poor.

Question. Who do you suppose are the parties who furnished the chairman with these questions that have been put to you?

Answer. There are plenty of such men. It was Cheney, pretty likely. There are plenty of men who would blacken my character, and rake up things.

The CHAIRMAN. (to Mr. Bayard.) To what questions of mine do you refer?

Mr. BAYARD. The one about the witness having been tried by court-martial.

The CHAIRMAN. That matter was first alluded to by himself.

Mr. BAYARD. It was brought out by your questions.

By Mr. BAYARD:

Question. These same suggestions came from this ring that you have spoken of as corruptly ruling the State of Florida in their own private interest?

Answer. What suggestions?

Question. These charges against you personally, that might affect the weight of your testimony.

Answer. Undoubtedly; I suppose the suggestions must have been made, because I do not see how any of you would be likely to know those facts.

By the CHAIRMAN:

Question. Did you talk to any member of this committee, and tell him what you would be likely to say, so that you might be summoned here as a witness?

Answer. No, sir; I have told some members of this committee my opinions in regard to some things.

By Mr. BAYARD :

Question. I have no objection to your stating with which member of the committee you had your chief conversation.

Answer. I talked with Judge Scofield a little one evening and to you. I built the hotel where you are stopping, and I believe he spoke to me first. You joined in the conversation, and I answered some questions. I believe one question was as to how long I had been here, and whether I felt my life was safe here.

Question. Who asked you that question?

Answer. I think it was Judge Scofield.

By Mr. SCOFIELD :

Question. I do not recollect asking you any such question.

Answer. There was some conversation; I do not know but somebody else might have asked me some questions.

JACKSONVILLE, FLORIDA, November 14, 1871.

WILLIAM BRYSON sworn and examined.

By the CHAIRMAN :

Question. State your age, where you were born, where you now reside, and what is your present official position.

Answer. I was sixty years old on the 30th day of last September; I was born in Buncombe County, North Carolina, and I now reside in Suwannee County, Florida; I am judge of the third judicial circuit of the State of Florida.

Question. What counties are embraced in your circuit?

Answer. Columbia, La Fayette, Suwannee, Hamilton, Madison, and Taylor.

Question. We are inquiring into the question whether the laws can be administered fairly for the protection of life and property in this State.

Answer. Well, sir, in those counties it has been pretty bad, and it is bad yet; but there is a change, though there are a great many crimes committed now, the perpetrators of which it appears to be almost impossible to bring to justice.

Question. Why is that?

Answer. I think it is from two causes; I think there is an organization there in those counties, or at least in some of them, and that there is so much sympathy with that organization, that it is impossible to have the parties brought to justice—impossible to get the sheriffs to discharge their duties and arrest them.

Question. How does that organization to which you refer manifest itself, and how does its sympathizers operate upon the municipal officers, the sheriffs, &c.?

Answer. It prevents them all in some way from doing their duty, either because of intimidation, or because of a kind of sympathy with it on their part.

Question. How does it affect juries?

Answer. That is according to the character of the person brought before them; that is the way it shows itself.

Question. As judge, you can only declare the law?

Answer. I have tried to compel those men to do their duty.

Question. Still, the judge cannot act as public prosecutor, for instance?

Answer. No, sir; but in my instructions to the jury, I have gone as far as I thought I dared to go.

Question. If the judge was to assume the character of public prosecutor, he would be at once referred to the celebrated English precedent, Judge Jeffreys?

Answer. Yes, sir; I can only judge from what I see.

Question. What is this organization to which you have referred?

Answer. I do not know what it calls itself; it is generally termed Ku-Klux.

Question. That is its popular name?

Answer. Yes, sir. I have never had any of their signs or secrets shown me but once.

Question. Who showed them to you then?

Answer. A man in Columbia County.

Question. Who is he?

Answer. George R. Cook.

Question. What were his representations about them?

Answer. His representation was a star with five points. I was so stupid that it took me a long time to know what it meant. After a time he showed me that there were three K's to be made out of it. He then showed me what he wanted, and told me that if I held court I would be assassinated. I did hold court, and I was not assassinated.

Question. Did he give you any intimation of where he came from or by what authority he spoke?

Answer. I do not remember that he did.

Question. What is his character and standing?

Answer. Well, sir, it is rather bad.

Question. How does he stand with his own people?

Answer. With some of them very well, and with some very bad:

Question. Does he belong to what is called in this country a good family?

Answer. I do not know; he was originally from Tennessee, and came here some time before the war.

By Mr. BAYARD:

Question. The appointment of sheriffs, and of all the officers in your State, rests with the governor, does it not?

Answer. Yes, sir.

Question. He can remove and appoint at pleasure?

Answer. No, sir; he cannot remove them without a concurrence of the senate.

Question. Can he suspend them?

Answer. That is a question that has never been determined; I hold that he can, but I do not know what the supreme court may determine.

Question. Upon charges of malfeasance or nonfeasance against an officer, cannot he be suspended and another put in his place, or his place be supplied by special authority?

Answer. That is a question; if the governor has no such power, he ought to have it, that is all I can say.

Question. The power of the original selection of those officers lies with him?

Answer. Yes, sir; entirely.

Question. You were appointed by the present governor?

Answer. Yes, sir.

Question. And the sheriffs of the different counties you have referred to were also appointed by him?

Answer. Yes, sir.

Question. And the prosecuting officers were appointed by him also?

Answer. Yes, sir.

Question. Is not the entire staff of county officials appointed by the governor, with the exception of constables?

Answer. Yes, sir.

Question. That is the only elective officer?

Answer. Yes, sir.

By the CHAIRMAN:

Question. Please to state in the interest of which political party, if any, are the Ku-Klux organizations arrayed.

Answer. In favor of the democratic party; there is no doubt about that.

By Mr. BAYARD:

Question. Did you state that you had any personal knowledge of those organizations?

Answer. Only what I have said.

Question. What that man Cook told you?

Answer. One other man has told me something about it, and would have gone on to give me the particulars, as he said, but I did not desire to have them, and he did not give them to me.

Question. Those are two sources of information?

Answer. There are other sources of information.

Question. Have you ever seen any of these parties in disguise in your State?

Answer. No, sir. I was down the other day where this last murder was committed, and was inquiring of a very intelligent gentleman, Judge Magee, if there was any clue to such a thing; he said that, so far as the white people were concerned, there was no information, but that the colored people had seen a party going to and returning from the place at the time the murder was committed.

Question. What was the cause of that murder?

Answer. There was a little difficulty between him and his landlord; that was all I heard.

Question. Who was killed?

Answer. Mr. Allison.

Question. Who was he?

Answer. A citizen of Madison County. I was at Judge Magee's the other day, and asked him if there was any clue to it.

Question. There was a personal difficulty between him and the person from whom he rented?

Answer. That was the only difficulty the judge had heard of. He said the white people had no clue, but the colored people had seen parties going to and returning from

the place that same night. I asked some of the colored people about it, and they said they had false faces on.

By the CHAIRMAN :

Question. Who was this party who proposed to give you information?

Answer. Duvall Selph.

Question. You preferred not to be informed?

Answer. Yes, sir; I got other information in this way; I was formerly a partner of the State's attorney, and very frequently persons would come into the office when he was absent, and commence telling me things.

Question. You had been a law partner of the State's attorney?

Answer. Yes, sir; up to my appointment as judge, I was a law partner of the State's attorney; that is the way I got this information.

Question. Who is your State's attorney?

Answer. Charles R. King was then; the present State's attorney is S. B. McLin.

Question. What are your political affinities?

Answer. I have not any; I have always defined to the governor, and everybody else, in this way; that I am not much of a republican, that I am not a radical in one sense of the word, and that I do not know that I have a democratic hair on me.

Question. What are the political affinities of this prosecuting officer?

Answer. He is a republican.

Question. What was Mr. King?

Answer. He professed to be a republican then.

JACKSONVILLE, FLORIDA, November 14, 1871.

E. G. JOHNSON sworn and examined.

By the CHAIRMAN :

Question. State your age, where you were born, where you now reside, and what is your profession.

Answer. I am thirty-one years old; I was born in Haywood County, North Carolina, and I now reside in Lake City, Columbia County, Florida; I am a doctor by profession.

Question. What is your present official position in this State?

Answer. At the present time I hold a seat in the State senate.

Question. How long have you resided in Lake City?

Answer. Four years.

Question. Since 1867?

Answer. Yes, sir.

Question. We are inquiring as to the security of life and property in this State, and the equal efficiency of the laws as they are administered for the protection of the people. Give us any facts bearing upon that subject that have come within your knowledge, or that you know upon reliable information.

Answer. So far as I am personally concerned, I have not felt that there was much security during the last sixteen or eighteen months—since I have been connected with political matters in Columbia County. Up to that time nobody knew my politics; I was practicing my profession, and of course I had no trouble at all.

Question. Upon which side did you engage in politics?

Answer. On the republican side.

Question. I understand you to say that since you have done that, you have not felt secure?

Answer. Yes, sir.

Question. Why not?

Answer. From threats that have been made on different occasions, and from assaults made on me, particularly on the day of election, on the 8th day of November last; and the threatening demonstrations that I have witnessed have made me feel decidedly insecure.

Question. Give us, as briefly as you can, the particulars of these acts to which you refer.

Answer. I have said that, up to the time that I engaged in politics there, I had no trouble. I was nominated on the republican ticket for the State senate. We had quite a sharp political canvass, and there was a great deal of bitter feeling one way or the other. The first open demonstration there was on the day of election, I believe. However, on the night previous to the election, they got up rather a disgraceful riot in town, and ran off quite a number of colored men. In fact, I had pretty much given up the election. I went out on the street the next morning, about sunrise, having staid at a friend's house, so that they might not know where I was. When I made my ap-

pearance on the public square the next morning, I was surrounded by about a hundred men, mostly armed with pistols; I saw but few guns; I saw few. They claimed that I was the cause of the riot that was got up the night preceding; and they threatened me, and said that I had better go into my house and stay there; that that was the only way I could expect to have a quiet day that day. I believed such was the fact, and I went into my house and staid there, and did not go out on the streets at all. I knew if I went out there, and there was a riot provoked in any way between the colored and the white people, they would be likely to kill me that day, and in order to prevent that, I concluded not to go out.

Question. You had given up any hope of an election?

Answer. Yes, sir; because two hundred or two hundred and fifty men who would have voted for me were driven off that night by the riot.

Question. That was the riot you were charged with exciting?

Answer. Yes, sir.

Question. Have you received notices in writing or verbally of a threatening character?

Answer. Yes, sir. I received a notice about six months ago of a threatening character, which I never showed to any one. I have not that notice with me. But on the 21st day of last month, I believe it was, I received a notice, of which I have a copy, which I furnished to the Lake City Herald, with a brief note from me. It was published in that paper on the 28th of last month, and is as follows:

“KU-KLUX LETTER.

“The Ku-Klux letter to E. G. Johnson, of the Florida State senate, threatening him with assassination unless he resigns his seat, as extracted from the Lake City Herald of the 25th October, 1871.

“It is the united and sworn voice of over **** (four thousand) Floridians to preserve their rights, or lose their lives in its defense; and what is resolved is not the effect of inconsiderate rashness, but the sound result of sober deliberation in brotherhoods, and the representatives of the brotherhoods in council.

“The wisest step for usurpers, or men occupying your position, to take is, to forthwith abandon or resign usurped places before it is too late. Such men as are now wrongfully in the legislature it is resolved shall not thus run over the rights of the people. You know you never was elected; you hold your seat unlawfully and unjustly. The true spirit was never so unanimous and universal among the brotherhoods as now, and especially since the North Carolina persecutions. All the Ku-Klux laws, all the courts, all the soldiers, all the devils in hell cannot stop the resolves of the brotherhoods. The destroyers of our rights—that is, unprincipled leaders, such as you—if they persist, will fall one by one; it is sworn to by brave men, who are obliged to act in secrecy from the power of circumstances.

“It is left to you whether you choose ***** (death) or peace. Kriminger had warning, so had ***** (Dickinson,) and so had ***** (Mahoney,) so now have you; and there is not a glimmer of hope left for you if you persist in your course of pretending to be elected. Such general venality it is sworn to displace, if not voluntarily preface in a reasonable time.

“You can quit with eclat and honor to yourself by voluntarily, honestly, and publicly resigning, stating truthfully that you was not elected, or have no intention of further claiming a seat or contesting your opponent's election.

“The brotherhood honors as well as punishes, and never punishes without it is deservedly. It will be best for your reputation, and for you, never to show this to any one; it will be certainly known if you do—yes, as certain as the sun rises or the moon sets; this is certain, as you do not know who the brotherhood are; if you do, it may be necessary to resort to what is not desired from motives of self-preservation.

“For God's sake, his laws, and your own interest, and those you love, do right. You understand.

“It is determined upon, the government must be purified. For God's sake, your own sake, and those you love, make a new beginning.

“Our country is above party or human aspirations. My promises are accomplished to notify you; farewell! For God's sake, do not treat this lightly. * pray you save your country from another Brutus who loves his country better than Cæsar. It is better to learn some things by foresight than everything by fatal experience, which may be too late.

“May God, in his infinite mercy direct you so that you may be preserved!

“Because some half-dozen of you have succeeded to form what is called a legislature, you must not conclude that you can overcome the law of gravitation.

“Nature is governed by the laws of cause and effect. The tornado can overcome the law of gravitation. Man cannot love a person, thing, or action that is revolting to his own soul. Goodness in man is the spirit of God—the power to advance right.

May the Lord of Hosts, the spirit of nature, guide you, and awaken your understanding before you are approached in darkened hours to give your account to the Eternal Mind. Think well, review your course, and study the universal laws, of recompense.

"O! may you receive a fresh inspiration and behold your situation with a clear vision, and see that wrongs such as you are perpetrating cannot succeed.

"Learned ignorance has presided over the funeral of the South to its utmost length. The wisdom of God, the Lord of Hosts, direct a deliverance.

"Isaiah tells of the iniquities and unrighteousness pertaining to earthly rulers and wrong governments. Nature directs the true remedy. The human mind, when vicious, unprogressed, and unspiritual, uses combinations, rings, kings, and forces as courts and soldiers, the intermediates of devils and men, ruled by the rulers of the infernal regions.

"The despotic stage of human development has blazed out, and the brotherhood see that it is time that men, honest men, should receive essential good, and not evil, from government; this is the sound conviction, and it must be carried out; and to demonstrate it is the province of the brotherhood. Justice, and not wrong, must and shall rule, is the all-animating principle.

"By just such advice and arguments, to have a secret influence and elevating teaching, we expect to do more than by violence; but, if necessary for antagonism of positive order, it will not be neglected. We must have *peace*, and we are determined to destroy, in the most effective way, every antagonistic feeling for peace.

"We understand your position, and the influence that directs you, exactly. You must discipline yourself from such wrongful temptations.

"Think of your position with a little calm investigation, and of those who are using you, of your situation, and see if it is worth your while to lose all to continue such a course. It only requires an honest and dispassionate comparison of ideas, truths, wrongs, and dangers, to soothe and restore every antagonistic feeling for peace.

"Your education and that of her lately taken to your bosom, and religious convictions, compared with the known laws and constitution of nature, ought to be conclusive. You are a self-determining, free agent; and now, properly notified and beseeched and implored; do, for God's sake, for the sake of your country, for the sake of the brotherhood, who are watchmen on the towers, make yourself a man, a living man—changed, improved, rational, truthful, and right. Pride and repugnance must be overcome; it is only now the development of a corrupt age. Honesty directs the good man, modesty the virtuous, and meekness the man of wisdom. The words of the brotherhood, like the sun, dissolves the clouds which are obscuring the rights of the people, and their unity in power. They are in wrath, and you know they ought to be.

"The above was received per mail, and post-marked 'Jacksonville.' It emanated from four or five worthies, in and about Lake City, who are marked men. The writer has been wholly unable to disguise his hand; and, again, his hypocritical language and composition betray him. Let me say to them that they will only be safe so long as their threats are not carried into execution, for, just so sure as I fall, they will know that I have placed avengers upon their tracks that will never rest until they have visited upon them swift and just retribution.

"E. G. JOHNSON."

Question. Have you any idea who the author of that is?

Answer. I certainly have an idea, but at the same time I cannot prove it.

Question. Have you such information and such a knowledge of parties as to lead you to believe in your own mind who they are?

Answer. Yes, sir; the strongest fact I have connected with the authorship of that letter is this: About six months ago, when I returned from the meeting of the legislature last winter, I was approached by a man who resides in Lake City. He advised me to quit the party; he said it could not sustain itself in this State, and he wanted me to quit the party. From the man's conversation on that occasion, I judge that this is his composition.

Question. Who was the man who had that conversation with you?

Answer. Martin P. Doby, a lawyer in Lake City.

Question. That letter was sent to you?

Answer. Yes, sir; it was post-marked at this place, Jacksonville.

Question. You spoke of one which you say you never have exhibited to anybody?

Answer. It was pretty much of the same character, and evidently in the same hand.

Question. There was no signature to it?

Answer. No, sir; nor was there to this.

Question. Did this gentleman give you to understand that honors and emoluments would accrue from the other side if you would leave your party and go to them?

Answer. He gave me to understand that I was decidedly unsafe in the position I did occupy.

Question. He addressed your fears rather than your hopes?

Answer. Yes, sir.

Question. Have you known of any violence to other parties that would lead you to

be more solicitous on your own account; have there been any persons killed in that county?

Answer. There have been some six or seven assassinations in that county.

Question. Can you give the names and dates?

Answer. I can give about the dates. I keep a daily memorandum, and I have been noting these things down. I have some extracts; I do not know exactly the dates; I was not certain that they would be necessary. The following is an account of murders and outrages committed in Columbia County, taken from my daily memorandum:

"1st. In the fall of 1868, Thomas Jacobs, colored republican, was called to his door at night and shot dead. The next day, at the inquest, Holtemange, Koon, Sherley, and others, who were the murderers, gave testimony upon which William Beauford and Ike Bush, colored republicans, were arrested and imprisoned for the murder, and would probably have been hung had they not escaped from jail, and before they were recaptured the murderers disagreed and told on each other. They have since fled the country.

"2d. In the spring of 1869, Lishur Johnson, a colored republican, was taken out of the house of one Hugh Brown, a white man, at night, by disguised men, since which time he has not been heard from; hat, shoes, and clothes were found in the woods.

"3d. In the fall of 1869, Timothy Francis, a colored man, and an active and working republican, was threatened, and his house being visited by armed men in disguise at night in search of him while he was absent, he became alarmed and fled the county, and was employed by the railroad company to pump at Sanderson; within less than two weeks thereafter he was shot dead while pumping, just after dark, by disguised persons.

"4th. In the fall of 1869, one Ike Ipswich, colored republican, had come in from his work, and was standing in his door just at dark, and was shot dead by a notorious desperado named Hukenbottom. He was arrested and tried before Judge Long, the courthouse being filled by armed men and threatening desperadoes, some being caught on the jury. He was acquitted.

"5th. In the fall of 1869, James Green, colored republican, was taken from his house by disguised men, carried five miles, and shot dead, and thrown into a pond, where he was found a few weeks afterward. His body showed that he had been tortured before he was killed, to extract from him something. One of those against whom there were strong suspicions as being one of the murderers, has stated that he was compelled to tell all the secrets of the Union League, and the plans of the republican party.

"6th. In the latter part of the fall of 1868, the colored people had a social party at Prince Weaver's house, a prominent colored republican; five or six disguised men fired on them, killing little Samson Weaver, aged thirteen years, and dangerously wounding three others. Weaver had been holding political meetings at his house, and had been warned against it. The shots were fired at him, judging from where he was standing. He had to leave the county for safety.

"7th. In the latter portion of the summer of 1870, and during the canvass, Robert Jones, a colored republican, who both democrats and republicans admit to be one of the best citizens, white or black, in the county, having returned from the republican county nominating convention, and while standing in his house after dark, was shot dead by some unknown party. He told some colored people the day he was killed that while on his way to the meeting he had a political talk with a democrat, and had been threatened by him because he would not give up republicanism, and said that he would not be safe in that neighborhood any longer.

"Mahoney, republican, and member of the legislature, has been killed.

"Robert Prolson, republican, and Isaac Bush, republican, have been whipped.

"My house has been fired into.

"The marshal of Lake City has been defied, and an attempt was made at night to assassinate him, a shot grazing the skin near the heart.

"The sheriff has been driven from Ellisville, and other places, and forced to resign.

"The United States deputy marshal has been resisted.

"Houses have been burned.

"From two to three hundred colored men, through threats or fear of danger, have fled the county, and are now in Jacksonville or other places, for safety.

"Not a man has ever been punished for the commission of any of these crimes."

Question. Has any attack been made upon your own house?

Answer. I received notice, I believe it was during last summer, some time after I returned from the meeting of the legislature; Mr. Day—

Question. The lieutenant governor?

Answer. Yes, sir. Mr. Day came into my house just after dark and informed me that he had seen two very suspicious parties outside of my house, evidently in disguise; that he had slipped around the back way and had come in to notify me that there might be some there. About that time Reuben Hart, a colored man, came in, and told me that he had seen two parties who were certainly watching the windows. I told him to go out and see, and come back and let me know, and I would go out and see about it. He

went out and satisfied himself from their movements that they were watching my house. He told another colored man, Nat Lyon, that there were two men watching my house, and he wanted him to look after them until he had gone into the house and informed me. This man Lyon had been drinking a little, and concluded that he would capture them. At that time they had sat down behind a work-bench, on the opposite side of the street. He walked up to them and hailed them, and asked them who they were. They did not answer; and he demanded again who they were. On that second demand they fired on him, and as he was standing between them and my house the whole load of eight buckshot went into one room of my house. They then made their escape.

Question. Did you find out who they were?

Answer. No, sir. Then, a short time after that, having made known that I was going to leave home on a certain night to go to Jacksonville, late in the evening I abandoned the idea, and went out as usual to stay with a friend of mine, for I very rarely spent a night in my own house. On Saturday it had been talked about that I was going to leave on Monday morning at 3 o'clock. The sheriff was boarding in my house, and he wanted to go to the country the next morning and make some arrests. He left at 2 o'clock; the train left at 3. As he stepped out of the house into the street he was approached by two disguised men, one on each side; he spoke to them, and as soon as they heard his voice they went off. I apprehended that they were looking for me.

Question. You say you are not in the habit of sleeping in your own house?

Answer. I did not very often last year; I have been sleeping at home now most of the time for six months. I have different quarters now; I was then occupying a one-story house, but since that time I have taken a two-story house, where I can go up stairs for the night and feel safer. But for fifteen months I have not even had a light in my sleeping-room. I always eat my supper before dark and go to bed early.

Question. Have you a family?

Answer. I have a wife.

Question. Who is this sheriff you spoke of.

Answer. Warren S. Bush.

Question. How long has he been in that office?

Answer. About twelve months.

Question. Who was his predecessor?

Answer. Robert Martin.

Question. Why was the change made?

Answer. Well, sir, I hardly know, except from rumor. Martin resigned and Bush was appointed his successor. It has been reported that Martin was got after by some armed desperadoes out in the country one day, where he went to make an arrest, and was taken into the woods and told that he had to promise two things: one, to go home and resign forthwith and not attempt to serve another paper; and the other thing was, that he must never tell who he saw there. I know he came back, and did no business in his office after that, except to wind up the affairs of his office.

Question. What is his name?

Answer. Robert Martin. He has been summoned before this committee, but he lives among some of the worst characters in the county.

Question. He has not come here, so far as you know?

Answer. No, sir; he is not here.

Question. Is he a man of property?

Answer. He has some property.

Question. Your impression is that he would not regard himself safe to come here?

Answer. Yes, sir, that is my impression.

Question. Has there been any resistance in your neighborhood to the service of process of the Federal or State authorities?

Answer. Yes, sir. The municipal authorities have never been able to arrest any parties from the country who came into town and violated the municipal regulations of the State. They never came into town except in parties of thirty and forty together, so as to be able to resist the municipal authorities. That was their custom a year ago, but it is not so much so now.

Question. Has the United States marshal had any trouble there?

Answer. Yes, sir; I believe one was resisted last fall.

Question. What was he trying to do?

Answer. To make an arrest.

Question. How is it with the courts there; are they able to redress these wrongs?

Answer. It seems not. I have enumerated quite a number of outrages that have been committed, and nobody has ever been punished for them.

Question. State whether in your opinion, or whether you have any reason to believe, there is an organization in that county known popularly as Ku-Klux.

Answer. Well, sir, I believe there is such an organization. Of course I cannot prove it to a mathematical certainty.

Question. Do you think it extends from that county to others?

Answer. Yes, sir, I think it does. I do not know how it is in other States, but my idea of the organization in this State is that it originates from what is known here as democratic clubs. For instance, they will organize a democratic club, and in the organization of that club there will be a secret-service clause; and I think it originates from that secret-service clause. Of course, whoever does not belong to it has no means of knowing anything about what they do.

Question. In these extracts from your diary you refer to Judge Long?

Answer. Yes, sir, as being judge on the bench at the trial of Hukenbottom.

Question. Are you acquainted with Judge Long?

Answer. Yes, sir.

Question. What is his character as a man?

Answer. Well, very bad morally. He does not seem to command much respect in a moral point of view.

Question. Is he not a very immoral man?

Answer. Yes, sir; so regarded.

Question. He stated before us here yesterday that the witness who had been previously examined, of the name of Frank Myers, had treated you very unworthily, and from that and other reasons in his opinion, Myers was not a man entitled to be believed on his oath; what do you know about that?

Answer. I reckon I have greater reasons than any other man not to believe him, and I cannot say I would not believe him. It is true he deserted me on the day of election, but then he assigns reasons for it. He said that from personal considerations he was compelled to do it. He was county commissioner of that county, and chairman of the board. That board of county commissioners broke up all the precincts in the county, and established three in the town for the protection of citizens, believing they could be better protected there than in the country. After that act he was caught up near Ellisville by a party of men, and threatened for doing so, and had to promise to go back to Lake City and use his influence to establish the country precincts again. He came back there, but whether he used his influence or not it was not done. I suppose he felt he was not in good standing with those men, and knowing that they were coming there on the day of election, he felt unsafe, and necessarily compelled to do what he did do to save himself.

Question. Is Ellisville the place where they resisted the United States marshal in the execution of process?

Answer. Yes, sir.

Question. Was Myers formerly a member of the democratic party?

Answer. I think he told me he formerly belonged to the democratic party; I do not know what he professes to be at this time. I know he worked with us about two months before the day of election, and on the day of election he deserted us and used his influence against us. He has since told me that he was forced to do so, and I have some reasons to believe that he was. He told me before the election what had happened at Ellisville; that they had threatened him unless he restored those precincts.

By Mr. BAYARD:

Question. Who do you think wrote these anonymous letters?

Answer. Well, I gave my honest opinion that Martin P. Doby wrote them; of course I cannot prove that he did. I do not recognize the handwriting at all, but I do recognize the composition.

Question. I observe that you state in this note that "the writer has been wholly unable to disguise his hand."

Answer. I do not know but what I have reason to believe it is in his handwriting, but am not positive.

Question. This note signed E. G. Johnson is one written by you?

Answer. Yes, sir.

Question. You say in this note, "The above was received per mail, and post-marked 'Jacksonville.' It emanated from four or five worthies in and about Lake City, who are marked men."

Answer. I think there were others who knew about the letter.

Question. You say also, "The writer has been wholly unable to disguise his hand." Do you mean by that that you recognized it?

Answer. I cannot swear positively that I recognize the handwriting.

Question. You go on and say, "And again his hypocritical language and composition betray him." That was the second independent method by which you detected the authorship?

Answer. Yes, sir.

Question. Is that your meaning?

Answer. Yes, sir.

Question. When was this paper prepared, referring to outrages in your county?

Answer. A few days ago; it was taken from the original journal which I have been keeping; the dates are not in this copy.

Question. In whose handwriting is it?

Answer. In mine.

Question. Where did you write this?

Answer. In Lake City.

Question. Where did you get these blanks from, "W. J. Purman, assessor of internal revenue," upon which you have written this?

Answer. I am his assistant.

Question. You hold your position as State senator and also a position as United States assistant assessor?

Answer. Yes, sir.

Question. These blanks are furnished you by Mr. Purman?

Answer. Yes, sir.

Question. He is also a State senator?

Answer. Yes, sir.

Question. You prepared this before you came down here?

Answer. Yes, sir.

Question. What offices have you held in this State, besides those of State senator and United States assistant assessor?

Answer. I have never held any other position, except for about six months on the board of county commissioners in Columbia County.

Question. How large is Columbia County?

Answer. It is about sixty miles north and south, and about twenty-five miles east and west.

Question. Where is Lake City situated in the county?

Answer. It is about the center of the county; it is about as far from Lake City to the Georgia line as it is to the Alachua County line.

Question. In that county there were formerly three precincts?

Answer. I do not know how many there formerly were; perhaps more than that.

Question. Mr. Frank Myers was chairman of the board of county commissioners, and they abolished all but one precinct?

Answer. They abolished all the country precincts, and established three precincts in town.

Question. They left but one place for voting in the entire county?

Answer. Yes, sir.

Question. It was under his arrangements that was done?

Answer. Yes, sir.

Question. To make a single place for voting in that county?

Answer. Yes, sir.

Question. What is the population of your county?

Answer. I do not know exactly the population.

Question. What is the vote polled there?

Answer. I believe that there were between seventeen and eighteen hundred registered voters in the county at the last election.

Question. What was the proportion of the whites and blacks?

Answer. Just about equal; I do not think there were more than ten votes difference; that is to say, the relative strength of white and colored registered.

Question. You spoke of your belief that there was some secret organization committing acts of violence in your county?

Answer. I believe there is a secret organization there; I do not know whether they keep up their regular meetings or not; I do not say they do that.

Question. From whom did you derive your knowledge of the democratic club and its secret-service committee?

Answer. I believe Mr. Myers is the only person who had anything written about it; I saw it written in his possession.

Question. You derived from him his knowledge of the secret-service committee?

Answer. Yes, sir.

Question. Is it upon that that your opinion is based?

Answer. Yes, sir, principally that; I have heard of the same thing from others.

Question. Is that the extent of your knowledge of the organization?

Answer. I cannot prove to a mathematical certainty that there was such an organization.

Question. Who is the judge of Columbia County?

Answer. The county judge?

Question. Yes.

Answer. Dr. P. A. Holt.

Question. Who are your justices of the peace?

Answer. We have three, E. H. Stringfellow, Jacob Miller, and G. R. Keen.

Question. Is that Mr. Stringfellow a man who has his sight affected?

Answer. Yes, sir.

Question. He is blind?

Answer. He is blind at night; I do not know that his sight is much affected in the day-time.

Question. Are the other justices of the peace black men or white men?

Answer. They are all white; there is no colored justice of the peace in that county.

By the CHAIRMAN:

Question. Some inquiries have been made of you as to the voting places in your county. As I understand, you have a voting place at the county-seat?

Answer. Yes, sir.

Question. Does not that operate much more hardly upon the colored people as a class, than upon the white people?

Answer. Certainly, because they have no horses and carriages, and have to walk; as a general thing the white people have horses, carriages, and buggies.

Question. Why was it thought advisable to take that course rather than to establish polling-places at different points in the county?

Answer. From the fact that it was thought the party could better protect the colored people at the county-seat.

Question. Do you believe that if you had polling-places around in the outskirts of the county, the negroes would be safe in going there and voting the republican ticket?

Answer. I do not think they would be safe; I do not think many of them would vote; in fact they have told me so.

Question. Was it in order to give better protection to colored voters that that arrangement was made?

Answer. Yes, sir.

Question. In your judgment, is it a wise and just arrangement?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 14, 1871.

L. G. DENNIS sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now live, and what is your present official position, if you hold any.

Answer. I am thirty years old; I was born in Massachusetts, and now reside in Gainesville. I am at present deputy collector of United States revenue, and also a State senator.

Question. In what county is Gainesville?

Answer. In Alachua County.

Question. How long have you been in that county?

Answer. Since January, 1866.

Question. We wish to know how far the law is in fact administered, and whether it affords protection to life and property. Give us any facts bearing upon that subject that you may have knowledge of.

Answer. We have laws, and we have a regular session of the court there. But since I have been a resident of the county there has always been a strong prejudice against the colored people; and since reconstruction there has been a strong feeling against northern people—that is, northern people who have taken part in politics, who are republicans.

Question. Have there been any crimes committed in that county growing out of that feeling?

Answer. Yes, sir; there have been a great many crimes committed there.

Question. Can you give us a statement of the number and character of the crimes committed in the county since you have been there?

Answer. I cannot give you a statement from my own knowledge; but from information I have received from a few people lately, I can give a tolerable correct statement of the crimes that have been committed.

Question. Do you mean a correct statement and full statement?

Answer. I mean I can give correct dates. I have here a copy of a letter written by me to the secretary of state, which contains a partial list of the crimes committed there. The letter is as follows:

“GAINESVILLE, FLORIDA, February 24, 1871.

“DEAR SIR: In answer to yours of the 14th instant, requesting information concerning the number of murders committed in this (Alachua) county on loyal men since reconstruction, general sentiments of the southern whites toward the United States

Government, spirit of the press, &c., I have to say that I have made inquiries in relation to the number of murders committed, but have been unable to find any person who has kept a correct record of these crimes; and as few, if any, criminals have been brought before the courts for murder, it is impossible to collect anything like a complete list, (in the time allowed;) and such as are here mentioned are given from my own and the memory of a few republican friends, the whole number being twelve. A list of the names of the murdered are inclosed herewith, giving dates as near as can be remembered. Within the same time there have been very many assaults with intent to murder, in most cases inflicting severe and dangerous wounds. In several instances the dwelling-houses of loyal men have been shot into and the inmates wounded. Murderous assaults have been made upon the highways, and republican meetings fired into, as was the case in Gainesville in October last, and three colored men shot; yet in but one or two instances has a white man been tried for murder since 1866, and then acquitted by a white jury. Notwithstanding the aggregate number of murders committed in this county is so large, the county has been noted for its quietude compared with some of the adjoining counties, where lawlessness to a greater extent prevails.

"The sentiment of the southern whites toward the General Government is decidedly hostile, and the press has not only encouraged this sentiment, but has invariably attempted to excuse crimes when committed against loyal men, by misrepresenting facts and endeavoring to make it appear as the result of some personal difficulty in which the loyal man was the aggressor.

"Respectfully,

"L. G. DENNIS.

"Hon. J. C. GIBBS,
"Secretary of State.

"List of names of the murdered in Alachua County since 1866 to 1871.

"Cooley Johnson, Newnansville, February 12, 1867; Cesar Sullivan, Newnansville, October 12, 1868; Willey Bradley, Newnansville, 1868; Moses Smith, Gordon, November 1, 1868; Harry Franklin, Gainesville, 1868; — Stephens, Gainesville, November 1868; George Bibbon, Newnansville, 1867; Harry Hurl, Newnansville, 1869; Joseph Hurl, Newnansville, 1869; Harry Simonton, Micanopy, 1867; Jacob Lee, near Wacahoota, 1867; Jim Jenkins, near Wacahoota, 1870; Christopher Cummings, shot near Gainesville, 1870.

"In addition to the above, but one month since, a colored man, charged with crime and lodged in jail at this place, was taken out by a band of masked men, and was afterward found hung to a tree near the town.

"L. G. DENNIS.

"Added: 1871—Sandy Hoocek, killed September 14, at Gainesville; Alexander Morris, hung by mob, January 14, at Gainesville; W. M. Lucy, killed October 8, at Newnansville; Henry Washington, mortally wounded October 7; Archer, Tom Williams, shot October 8.

Question. This comes up to a comparatively recent date?

Answer. Yes, sir.

Question. Have there been any persons tried and punished for these various crimes?

Answer. There have been four or five men tried for one case of murder, and I have heard of one other man being tried also for murder.

Question. What became of the four?

Answer. They were acquitted.

Question. Is that the case of a party of men who went to Harry Harold's house and shot his son?

Answer. Yes, sir.

Question. What was the result in the other case?

Answer. He was acquitted. There was one case where a southern man shot at a northern man; he was arrested and taken into court and tried for murder, but was acquitted. That was during the presence of the military there, and they objected to that verdict, and the man was afterwards taken into court and fined \$500, but the fine has never been collected, and the man has never been asked to pay it.

Question. Have you yourself been molested in any way?

Answer. I have been threatened a great deal; I have not been molested other than I have been the recipient of threatening letters.

Question. What sort of threatening letters?

Answer. I have two letters here that I received, as follows:

"K. K. K.

"No man e'er felt the halter draw,

"With good opinion of the law.

"K. K. K.

"Twice the secret report was heard;

"When again you hear his voice,
 "Your doom is sealed.

"Dead men tell no tales.

"K. K. K.

"Dead! dead! under the roses.

"K. K. K.

"Our motto is, death to radicals.—Beware!

"K. K. K."

Question. Have you received any others?

Answer. I have received a great many threatening letters of a different character, where men have written letters saying they intended to give me a beating.

Question. Do they sign their names to them?

Answer. No, sir; they were anonymous.

Question. How many have you received in all?

Answer. Probably a dozen.

Question. When were those received which you have shown here?

Answer. During the campaign of last year. I will connect one of these letters with something else. A committee of three came to my house on the day before election, and informed me that they had been notified that I had advised the negroes to come into town armed on election day; that if they did come armed there would be trouble, and that if there was trouble I was the person they intended to put out of the way. That night a party of half a dozen men came to my house and stoned it; they were armed with swords and pistols, and said they came there for the purpose of killing me. I had a colored man who was living in a little house in the rear of mine, who heard the noise and went out to the front of the house. He assured the party that I was not there; I was there, but I do not think he knew I was there. They then went away and left this letter. A week after the election I left Gainesville to visit the North, and I came down on the train to this place, and here I took a sleeping-car for Savannah. At a place called Jasper, some parties came on the train, came to the door of the sleeping-car and wanted to come in, but the porter in charge of the car would not open the door. He said that they were armed with clubs and pistols. I awoke and heard them say they wanted to see some man in particular; the porter asked who it was, and one of them said a man who had got on the train at Baldwin. That is the place where the Gainesville train connects with the Savannah train. The porter told them there was no man there who had got on the train at Baldwin. They wanted to come in and see; he told them there were ladies in the car, and he would not allow them to come in. They said they wanted to see a man from Gainesville. They talked the matter over among themselves, and finally said, "By God, he is in that car, and we must come in." I supposed all the time they were after me; just then the engine whistled and the train started and they jumped off. That was on Friday night. On Saturday I wrote back to Jacksonville, and my letter could not have reached here before Sunday night, and could not have gone up to Gainesville before Monday. On Sunday it was reported that I had been taken off the train and hung; that was the report in my own county; that I was taken off the train on Friday night and hung. I always supposed that they had some means of communicating to their friends above that I was on that train, and that it was their intention to take me off and hang me.

Question. Have any of your political meetings been disturbed?

Answer. Yes, sir; one of our political meetings was fired into by a mob. We had a very large republican meeting there about a week before the election last year, and the democrats gathered around the meeting, flourishing pistols, threatening to shoot the speakers, and finally they started a row by cutting at a colored man. We were circulating some political documents, and a white man went up to a colored man and snatched one of them from him and at the same time struck at him with a knife. Two or three colored men made after him, and then a crowd began to shoot promiscuously into the meeting.

Question. Were any persons hurt?

Answer. There were three colored men shot.

Question. Were they killed?

Answer. No, sir, neither of them has died.

Question. Were any of the democrats hurt?

Answer. No, sir. The white man who started the disturbance was knocked down, and the leading republicans there exerted themselves to quiet the people. They threatened to burn down the town, and probably if the republicans had not exerted themselves considerably they would have done so.

Question. What were the democrats there for?

Answer. To listen, I suppose.

Question. Were they there as listeners or were they there evidently as disturbers of the meeting?

Answer. They were there as listeners and became enraged at the arguments.

Whether they came there for the purpose of breaking up the meeting I do not know, but that was their intention afterward.

Question. They came there armed?

Answer. Yes, sir; they are always armed there in the country. A man would as soon think of going out without his jacket as without his pistol.

By Mr. BAYARD:

Question. You came to Florida in 1866?

Answer. Yes, sir.

Question. From Massachusetts?

Answer. Yes, sir.

Question. What was your occupation before you came here?

Answer. I was in the Army; I never had any occupation before that; I went into the Army when I was young.

Question. What is your age now?

Answer. I am thirty years old.

Question. You had no occupation before the war?

Answer. No, sir.

Question. What did you engage in when you first came to Florida?

Answer. In planting.

Question. In Alachua County?

Answer. Yes, sir.

Question. What was your first political movement?

Answer. I do not understand your question.

Question. What was your first political position here?

Answer. I never held any political position until I ran for the State senate last year.

Question. You were not in the constitutional convention?

Answer. No, sir.

Question. Nor in the legislature until elected—when?

Answer. A year ago.

Question. You are now a State senator?

Answer. Yes, sir.

Question. Did you ever hold any other office?

Answer. None, except the one I now hold as deputy collector.

Question. You are one of the deputy collectors of United States revenue?

Answer. Yes, sir.

Question. You hold the two offices of State senator and deputy collector of revenue for the United States?

Answer. Yes, sir; I have been deputy collector since the latter part of 1869.

Question. I see you have made a communication to Mr. Gibbs, secretary of state; you were his correspondent in that county?

Answer. Yes, sir.

Question. You gave this information to him in this letter?

Answer. It was in reply to a letter from him asking for that information.

Question. He was getting up this information at that time, last February?

Answer. Yes, sir.

Question. And you prepared it for him for your county?

Answer. Yes, sir; this letter was rather hastily gotten up.

Question. You held no official position in the county at that time, except this revenue office?

Answer. I was collector of revenue for that county last year.

Question. At the time that letter was written?

Answer. Not at that time; I was State collector of revenue for that county for the year 1870.

Question. Then you did hold another office; you were collector of State taxes, collector of United States taxes, and State senator?

Answer. No, sir; I have not been collector of revenue for the State since I have been a State senator.

Question. But you were collector both of State revenue and Federal revenue at the same time?

Answer. Yes, sir; during the year 1870.

Question. Do you continue to plant there?

Answer. No, sir.

Question. You have no other occupation than the duties of your offices?

Answer. No, sir.

Question. Have you sold your property?

Answer. I have property in town, but I have sold my plantation.

Question. What is the vote of that county?

Answer. About three thousand.

Question. How is it divided as to color?

Answer. There are about six hundred majority of colored votes.

Question. There are six hundred more blacks than whites?

Answer. Yes, sir.

Question. Who are the representatives sent by that county to the legislature?

Answer. A white man by the name of Cessna and a colored man by the name of Goss.

Question. What is your majority in that county?

Answer. Do you mean the republican majority?

Question. Yes.

Answer. It is about one thousand; it was seven hundred last year, and in 1868 it was more—about twelve hundred.

Question. There are about six hundred more negro voters than white voters?

Answer. Yes, sir; a great many whites did not vote in 1868, and there are some who do not vote now.

Question. Do you recognize the handwriting of the placards you received, these anonymous letters?

Answer. No, sir.

Question. Did you ever make any attempt to find out who sent them?

Answer. I found out who the parties were who came to my house that night and left one of these letters.

Question. Did you ever seek to have them indicted?

Answer. No, sir.

Question. You had nothing done to them?

Answer. No, sir.

By the CHAIRMAN:

Question. Have you reason to suppose that there is an organization in your county in the interest of the democratic party?

Answer. I have.

Question. Is it a secret organization?

Answer. I think so.

Question. What is that organization generally called in the country?

Answer. Ku-Klux.

Question. Do you understand that these papers, which have been referred to as placards, emanated from that organization?

Answer. I think they did. A short time ago, about three or four months ago, there was a trial there in the county court of a half dozen men for disturbing the peace in town. During the trial it was shown that they were having a mock-trial of myself in the streets; they acted as Ku-Klux, and that they convicted me and sentenced me to be hung.

By Mr. SCOFIELD:

Question. They convicted you of what?

Answer. Of being a radical.

By the CHAIRMAN:

Question. Why did you call it a mock-trial; do you mean that they intended nothing by it?

Answer. It was mockery so far as the result of it was concerned; I do not know how binding it was upon their organization.

Question. This came out in the evidence?

Answer. Yes, sir; their names appeared; they were the parties who were being tried for disturbing the peace. There was no positive evidence against them on that ground and they were all acquitted.

Question. To what political party did they belong?

Answer. To the democratic party.

Question. How many men were concerned in that mock-trial to which you have referred?

Answer. Some ten or twelve.

Question. What was the standing of those men?

Answer. They were all known as bad characters.

Question. Did any of them belong to what they call in this country the first families?

Answer. Yes, sir; what they call first families here.

Question. They were desperate bad men?

Answer. Yes, sir; men who boast of having killed two or three negroes apiece.

By Mr. BAYARD:

Question. This proceeding you call a mock-trial took place in the public streets of the town?

Answer. Yes, sir, in the night time. The parties moved some empty boxes from a store into the street and held their trial there. They have been in the habit of shoot-

ing pistols in the street and disturbing the peace; that had become very annoying to the really good citizens, who exerted themselves to put a stop to it. They went out and ascertained who the parties were, and entered a complaint against them in the mayor's court.

Question. Had these fellows moved boxes out into the street and formed a court?

Answer. Yes, sir, and one of them was sitting on top of a box as judge.

Question. Did they have any body to represent you?

Answer. I do not know whether I was represented or not; but they were trying me.

Question. That was the form of trial—a mock-trial of you for what crime?

Answer. For being a radical.

Question. Did they find you guilty?

Answer. Yes, sir.

Question. And they condemned you to die?

Answer. Yes, sir.

Question. That was all heard by citizens?

Answer. Yes, sir.

Question. And that came out in the course of their trial for disturbing the peace?

Answer. Yes, sir.

Question. And they were taken up for a breach of the peace?

Answer. Yes, sir; and then they appealed and went into the county court, and there they were acquitted. The night they were acquitted they beat the mayor, kicked him, and cuffed him about the court-house yard.

Question. What was the offense they were tried for?

Answer. For disturbing the peace; for violating the city ordinance.

Question. For a riot?

Answer. No, sir.

Question. For creating a disturbance in the city?

Answer. Yes, sir.

By the CHAIRMAN:

Question. At what time of the night was this mock-trial held, did you understand?

Answer. About midnight.

Question. You were asked if the people saw it. Were there any people there?

Answer. No, sir; the evidence came out in court before the people.

Question. Did the mock-trial take place in the presence of the people, or was it after they had gone to bed?

Answer. There were no persons in the street except one or two. The mayor went out to see what the matter was. This disturbance had been going on for some time, and the mayor went out to see who the parties were, in order that he might have them brought before him for trial.

Question. In that way the matter came to light?

Answer. Yes, sir.

Question. Did you hear anything about it before the trial?

Answer. No, sir.

Question. How long ago was it that that proceeding took place?

Answer. In April last, I think.

JACKSONVILLE, FLORIDA, November 14, 1871.

RICHARD POUSSER (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, and where you now live.

Answer. I am forty years old. I was born in Orangeburgh district, South Carolina, and came to Florida in 1851; and now live in Jackson County.

Question. How long have you been in Jackson County?

Answer. Ever since 1851.

Question. What is your business?

Answer. I am constable of Jackson County.

Question. How long have you been constable there?

Answer. I was elected constable a year ago in November last.

Question. Have you any people in your county that are called Ku-Klux?

Answer. Yes, sir.

Question. What do they do?

Answer. Well, sir, they just make it their business to kill and murder.

Question. Have they molested you any?

Answer. Yes, sir; I am now toting their bullet right in my shoulder.

Question. When did you receive it?

Answer. In 1869; I was then in office.

Question. What office?

Answer. I was constable then.

Question. State the circumstances under which you were shot.

Answer. It was done at night; Saturday night.

Question. Where were you?

Answer. I had been to Marianna. I lived then in the country ten miles from Marianna, and I went to Marianna to get some papers to attach some property. As I got home some person shot me right as I got to my door, after I had taken my horse to put him up.

Question. How many were there of them?

Answer. I do not know; they were all outside of the fence and I was in the yard.

Question. We have had some account of the killing of a man of the name of Calvin Rogers, a county constable.

Answer. He was a constable living in town; I have his position.

Question. Was this shooting of yourself before or after Rogers was killed?

Answer. It was before Rogers was killed.

Question. How long before?

Answer. About three or four months, I suppose.

Question. Have you any knowledge or belief of what they had against you, that they should want to kill you?

Answer. Because I am a strong republican.

Question. Was there any other reason that you know, or ever have heard?

Answer. Nothing else.

Question. Was anybody ever punished for it?

Answer. No one at all.

Question. Has any other injury ever been inflicted upon you beside that shooting?

Answer. I have been stripped, and pistols have been put in my face since I have been in office; that was in November, 1870, the 15th of the month. Last Tuesday my mouth was abused because I was in office; an officer cannot carry out his duty in Jackson.

Question. By whom was this done?

Answer. It was done by a man of the name of Tom Barnes; some call him Sergeant Barnes.

Question. Was he the same man who did so before?

Answer. No, sir.

Question. Who was the other one?

Answer. A man from Leon County, called Jim Havis.

Question. How long ago did Barnes make the attack on you?

Answer. On the 15th of November last.

Question. Where was it?

Answer. That was in Marianna.

Question. Tell us how it happened.

Answer. It happened in this way: I had some prisoners in charge by order of Judge Plantz, and I had my pistol buckled to me. He said, "What are you doing with that pistol buckled to you?" I said, "I have a prisoner in charge." He said, "I have a mind to blow your God damned brains out, you God-damned radical son of a bitch; you look pretty having a pistol buckled to you as a God damned officer." I said, "I am a lawful officer, and by order of Judge Plantz I am taking charge of these prisoners." He said, "If you say that word again I will blow your God damned brains out right now." He then walked up and took a stick and struck me in the mouth.

Question. Has he been punished for it?

Answer. No, sir.

Question. Why have you not prosecuted him?

Answer. There is no use in it; you cannot get justice there.

Question. Why not?

Answer. There is no use to try it, because they will make it appear that a colored man is a liar, and he cannot get justice; in fact a colored man is afraid to try for it.

Question. Suppose you were to prosecute this man?

Answer. If the United States will give us assistance we will come out and do it.

Question. Suppose you prosecute him in the court at Marianna?

Answer. There is no use in it unless we have protection.

Question. Do not the laws there give you protection?

Answer. We cannot get protection unless we have assistance from the Government.

Question. What government do you mean?

Answer. The United States Government.

Question. When was the last time you were attacked?

Answer. It was on last Tuesday.

Question. A week ago to-day?

Answer. Yes, sir; I had a prisoner in charge.

Question. By whom were you attacked?

Answer. By Jim Havis. He said he intended to beat me down to the ground and kill me; that I should not execute any laws there.

Question. You had a prisoner in charge?

Answer. Yes, sir.

Question. A white man or a colored man?

Answer. A white man.

Question. Under what charge?

Answer. Under authority of General Anderson, who is county judge there; he issued a warrant for him to be arrested.

Question. He is a democrat?

Answer. Yes, sir.

Question. Has he been appointed there lately?

Answer. Ever since last year, I think.

Question. What has been the condition of things there since Dickinson was killed, so far as colored people are concerned; has it been better or worse than it was before?

Answer. It has been worse; there is no better about it.

Question. Who are the men—what people are they—who do this mischief?

Answer. We cannot tell; they disguise themselves at night, and just go to your house and call you out, or if they do not call you out they will just open the door and come right in and kill you.

Question. How many people have been treated in that way in your county?

Answer. There have been ninety or a hundred, if I could remember them all.

Question. Do you never go to the white people there—you have good white people there, have you not?

Answer. Yes, sir; and they say they are very sorry for these things.

Question. Why do they not help you?

Answer. They say it is not their business; that the Government did not put them in control, and they are not going to have anything to do with it.

Question. Do any of them sympathize with such doings and uphold them?

Answer. The most of them talk against it.

Question. How do the others talk? Do any of them approve it?

Answer. No, sir; not out loud.

Question. What is the feeling of the democrats there toward the Government and in regard to the law?

Answer. Well, sir, they have an idea that they are not going to be controlled by the law; that is the general feeling among the democrats; that it is all "nigger law," and they do not intend to abide by it; they said they did not vote for Grant, and did not vote for Reed, and they will not submit to the law, but they will have things their own way.

Question. What kind of law do they call it?

Answer. They call it "nigger law."

Question. Did you know Mr. Dickinson?

Answer. He was one of my particular friends.

Question. Were you acquainted with the circumstances of his being killed?

Answer. I was with part of them.

Question. It has been testified to here before this committee that it was reported by people from Jackson County that Mr. Dickinson was killed by a man of your color of the name of Homer Bryant, because he had been living unlawfully with a colored woman.

Answer. That is not so. I am the very officer that arrested Bryant, and it is quite a mistake; Mr. Dickinson was not killed by that man; he was not killed by a colored man; he was killed by a white man.

Question. Did the white men there, especially the democrats, charge it upon this colored man?

Answer. Yes, sir; they put the charge on him.

Question. Who do you think was the white man who killed Dickinson?

Answer. There was something about the tax on lands. I was Mr. Dickinson's bailiff, and he ordered me to take a bell and go around in the streets and ring it, and state that a sale of lands would be at 11 o'clock. This man, John R. Ely, told Mr. Dickinson, "If you sell my land I will whip you or kill you." Mr. Dickinson said, "I will sell the land at the risk of my life; I have the right to sell it, and the authority to sell it; you may take it for granted what I tell you, for I am a man, too." Mr. Dickinson did not say much more, but went on to the court-house. Mr. Arther Calhoun was to cry off the land. I went around and rung the bell, and I met Ely within twenty-five yards of the court-house door. He said, "What are you ringing that bell for?" I said, "Mr. Dickinson ordered me to ring it for the sale of the land." He said, "You God damned radical son of a bitch, put that bell down, or I will kill you." I let the bell fall. He went to Mr. Dickinson then and said, "Now, I am going to have satisfaction." Mr. Dickinson told him that his land was not sold yet, that Homer Bryant was not there,

but when he came he would see how it was, that he had several lots there. He told Mr. Dickinson that if he did not take that advertisement out of the paper about selling land, he would have him killed; Mr. Dickinson would not promise to do it.

Question. How long after that was Mr. Dickinson killed?

Answer. That was on Wednesday, and he was killed on Monday night.

Question. Did you hear anybody express joy or satisfaction that he was killed?

Answer. Well, they all said that the last leading radical was gone, and they did not care; that was among the democrats. They said they did not intend to have any other carpet-bagger come there, and they would be damned if they would have any.

Question. That was after Dickinson was killed?

Answer. Yes, sir.

Question. There has been a great deal of complaint made here about Major Purman and Mr. Hamilton, that they behaved very badly in your county.

Answer. They did not.

Question. It is represented that they treated the colored men very badly, that they tore up their contracts, and made new ones, and charged them money for it, and all that.

Answer. They did not do it; I would swear it on a pack of Bibles as high as from here to heaven. They have been falling back ever since Purman and Hamilton left; before they left they were living like gentlemen, going on as beautiful as any people in Florida.

Question. They were friends of your people?

Answer. They were friends of ours, and if they come there again we will go up again.

Question. What was the complaint against those two gentlemen except that they were republicans, and urged the colored people to vote the republican ticket?

Answer. That was the only complaint. The colored people appreciate Mr. Purman and Mr. Hamilton, because they treated them like gentlemen, and told them how to get along and how to manage. They would go to Mr. Hamilton and Mr. Purman for advice; that is what the difficulty was. If a man jumped on me and beat me, I would go to them for protection, and if they gave me protection, then Mr. Hamilton and Mr. Purman were just devils out of torment.

Question. What is the feeling there about allowing colored people to vote?

Answer. A colored man dare not vote the republican ticket there, not now.

Question. Why?

Answer. If he will vote the democratic ticket he can do it, but he cannot vote the republican ticket and say he is a living man.

Question. He votes the republican ticket at his peril?

Answer. Yes, sir.

Question. Where do your people look for protection in the enjoyment of their rights; where do they expect to get protection?

Answer. From the United States.

Question. Is that the general feeling among your people?

Answer. Among the colored republicans.

By Mr. BAYARD:

Question. What was this tax that the land was to be sold for?

Answer. It was a county tax I think; he had not paid his county tax.

Question. They advertised the land?

Answer. Yes, sir.

Question. And the land was to be sold?

Answer. Yes, sir.

Question. What was Mr. Dickinson's office; was it his duty to sell the land?

Answer. Yes, sir.

Question. Had Mr. Dickinson at any time bought in any land himself at tax sales?

Answer. Yes, sir.

Question. Whose land had he bought?

Answer. He had bought some of Bill Neal's land, and some of Haywood's land, down on the Chattahoochee, and some land near Campbellton.

Question. He had sold the land for non-payment of taxes, and had bought it in at tax sale?

Answer. Yes, sir.

Question. Did he own a great deal of land at the time of his death?

Answer. Yes, sir.

Question. How much do you suppose he had?

Answer. Nearly two thousand acres.

Question. Land that he had bought in at tax sales?

Answer. Yes, sir; he bought four hundred and sixty acres within a mile of Marianna.

Question. How far distant from Marianna was this land that he was going to sell that day?

Answer. It was some lots right in Marianna.

Question. Did the sale go on?

Answer. No, sir.

Question. Who was the man whose land was to be sold?

Answer. John R. Ely.

Question. Did Mr. Dickinson tell him he was going to sell it on that day?

Answer. No, sir; he said that if Mr. Bryant came he would see whether it was to be sold or not.

Question. Who was Mr. Bryant?

Answer. Homer Bryant, a colored man.

Question. What had he to do with it?

Answer. He was tax collector.

Question. He had the control of it.

Answer. Yes, sir; as for Mr. Bryant, Mr. Ely took his stick and pistol and told Bryant that if he did not go and take that advertisement out of the paper he would kill him, that he would whip him first until he got satisfaction, and then blow his brains out. He made him go before him and take it out of the paper, and Homer Bryant cannot deny it.

Question. He took it out?

Answer. Yes, sir.

Question. Did Ely claim to have paid the tax?

Answer. He claimed to have done it, but I understood Mr. Dickinson to say that he had not paid it.

Question. He claimed that he had paid it?

Answer. Yes, sir; but there were papers to show that he had not paid it. That was the cause of Mr. Dickinson's death; it was about selling that land. There was a great deal of hard feeling there; several of them came up to Mr. Dickinson's office and hauled up their sleeves and said, "I will kill you," or "I will whip you right here; I will have satisfaction anyhow." Aleck Myrack went to Nick Thompson's and said, "We will have no fuss." I suppose they would have beaten Mr. Dickinson down that day.

Question. You think the feeling against him grew out of this transaction?

Answer. Yes, sir.

Question. Where did Mr. Dickinson live at that time?

Answer. Right in Marianna.

Question. Where did Homer Bryant live?

Answer. East of Greenwood.

Question. How many votes are polled all together in your county?

Answer. I believe from twelve hundred to thirteen hundred.

Question. How many of those are colored votes?

Answer. How many now?

Question. How many did you poll at the last election?

Answer. I do not think we polled more than nine hundred or ten hundred votes.

Question. You polled that many out of fourteen hundred?

Answer. Yes, sir.

Question. And the rest were white votes?

Answer. Yes, sir.

Question. Your people always vote the republican ticket?

Answer. Yes, sir; we are strong republicans if we are allowed to vote.

Question. Who did you elect to the legislature?

Answer. We elected Mr. Livingston and Mr. Barfield; but we did not elect McLin, a democrat.

Question. You did not elect him?

Answer. No, sir.

Question. You elected the republicans?

Answer. Yes, sir.

Question. When were you elected constable?

Answer. At the same time.

Question. What was your majority?

Answer. I think I got some nine hundred and seventy-five votes?

Question. You had some five or six hundred majority?

Answer. Yes, sir.

Question. What is the salary of your office?

Answer. I have not drawn any salary out of the office yet.

Question. Are you paid by fees or by a regular salary?

Answer. I am paid by fees.

Question. What are your fees worth nominally?

Answer. Nominally, it is worth about \$300.

Question. In State scrip?

Answer. No, sir; county scrip.

Question. Is county scrip as good as greenbacks?

Answer. No, sir; it is worth there in Marianna only from 25 to 40 cents on the dollar. I have been serving there for the last twelve months, feeding myself; I hawk and peddle there, and that is what my support comes from.

Question. What do you sell?

Answer. Chickens, eggs, butter, potatoes, beef, and pork.

Question. Through the country and the town?

Answer. No, sir, not in town. That is my support. I attend to my office whenever they call me. I have a good horse, and have never received any pay yet.

Question. You have not drawn the pay to which you are entitled?

Answer. No, sir.

By the CHAIRMAN:

Question. When land is sold for taxes, does the owner have the right to redeem it?

Answer. No, sir, not unless he pays.

Question. By paying the taxes, can he get back the land?

Answer. Yes, sir.

Question. When land is sold or offered for sale for taxes, and there is no bidder, is it the duty of the clerk of the county or other officer to bid it in?

Answer. Yes, sir.

Question. And Mr. Dickinson was clerk and bid it in in that way?

Answer. Yes, sir; Mr. Dickinson bid in all the land where there was nobody else to buy it.

Question. He bid on it the amount of the taxes?

Answer. Yes, sir. He has been so obliging to a great many as to lend them money to pay their taxes; they would come to him and borrow money to pay their taxes.

Question. This man Ely insisted that he had paid his taxes?

Answer. Yes, sir; and Mr. Dickinson said he had not; that the papers were there to show.

Question. If he had paid his tax, he could very easily have instituted proceedings in court and stopped the sale?

Answer. Yes, sir; but he said he did not intend to do that; that he did not intend to honor Dickinson that much.

Question. You think the people were hostile to Dickinson anyhow?

Answer. They said they had got Hamilton and Purman away; that they would be damned if Dickinson should stay there, or if any other carpet-bagger should come there; they did not care how good Dickinson was, he should not stay. They walked on him, they spit in his face, and he took it all. Colonel Coker took his fist and knocked Dickinson's hat off his head.

Question. When was that?

Answer. In 1869, and he bore it all.

Question. Who is Colonel Coker?

Answer. James Coker, who lives there in Marianna.

Question. A prominent citizen and a man of property?

Answer. He is a man of property, a very wealthy man, and has some eight or nine lots in Marianna.

Question. Does this man Barnes stay about his house any?

Answer. No, sir; he is a man who generally lives in Jackson County, up and down the river, and does nothing else but just kill colored people.

Question. Who spit in Mr. Dickinson's face?

Answer. Colonel Coker.

Question. What had Mr. Dickinson done to him?

Answer. That was done in 1869, on the day of election. He asked Mr. Dickinson what he was doing with all those "God damned niggers" in his office. Mr. Dickinson was fixing up some registration. Coker had some business that he wanted fixed up, and he told Mr. Dickinson that the books were closed; that if he did not come out of the office he would kick him out. Mr. Dickinson told him that the office was his. His answer was, that the "God damned niggers" gave him that office; but they did not intend for him to stay in it much longer, without he did as they wanted him to do. Mr. Dickinson told him that that was not for him to say. He then walked up to Mr. Dickinson and knocked his hat off his head. Mr. Dickinson said, "Coker you keep your hands off of me." Coker said, "I have a mind to put your eyes and mouth into one, you God damned nigger-loving son of a bitch." Dickinson went right along, and did not say anything more to him. He said to Dickinson, "You are a God damned liar, and if you take that you are nothing but a God-damned cowardly son of a bitch." No, sir, we cannot stay in Jackson County. We are here now, and if the United States does not give us aid and help us, we may just as well take our wives and children and move out, because we cannot stay there.

Question. How long has it been since anybody was killed in that county?

Answer. Not more than about three weeks.

Question. Who was killed there?

Answer. Abram Hall, who lives on the Chattahoochee.

Question. Was he a colored man ?

Answer. Yes, sir.

Question. How was he killed and by whom ?

Answer. We cannot find out who did it; he was found dead in the road.

Question. Was he shot ?

Answer. Yes, sir. Another man was shot about two months ago at the ferry at Aspalaga. Another man was shot and killed at the Murder Ford, near the Florida and Alabama line.

Question. How long ago was that ?

Answer. It was hardly more than three weeks ago.

Question. Killing still goes on there ?

Answer. Yes, sir.

Question. Is anybody arrested and punished for it ?

Answer. No, sir.

Question. Is there any effort made to arrest any one ?

Answer. Yes, sir; but they said the party could not be found. There was a man there by the name of Colonel Irvin, who had a son by a colored woman, who grew up to be a man. He married a white woman and had two sons. He gave his colored son a thousand dollars, and they turned in and killed the colored man.

By Mr. BAYARD :

Question. Who killed him ?

Answer. I do not know who killed him. As to murdering, I cannot tell the end of the murdering since we were free.

By the CHAIRMAN :

Question. How many murders have been committed in that county since Mr. Dickinson was killed ?

Answer. Some fifteen or twenty.

Question. Has anybody been punished for it ?

Answer. No, sir; nobody knows who it is.

Question. Were any of these men you speak of as having been murdered white democrats or colored democrats ?

Answer. Not one of them.

By Mr. BAYARD :

Question. You have a strong regard for Captain Dickinson ?

Answer. I have.

Question. Was he intimate with you, friendly with you ?

Answer. Yes, sir; friendly.

Question. Did he talk with you about his affairs ?

Answer. Yes, sir.

Question. Had he been engaged in the lumbering business at any time ?

Answer. No, sir; he had nothing to do with that.

Question. I mean before he came to Jackson.

Answer. I think he had before that.

Question. Had he not been unfortunate in that business and lost money ?

Answer. I really cannot tell you; I did not hear him say anything about that.

Question. Do you know whether he had or not failed in the lumbering business ?

Answer. No, sir; he did not tell me anything about that. I swept out his office; I always cleaned up his office. He said to me, "Richard, I do not expect anything else but J. R. Ely will kill me yet; I expect he will kill me before many days; we had a hell of a fuss about that land; John R. Ely is a damned fool; he thinks he is smart; he can kill me if he wants to, but if he does he will kill an officer of the United States; I am right about that land." I said, "For God's sake, before he kills you let him have his land," just so. He said, "By God, the United States does not beg a man; damn him, if he wants to kill me he will have to kill on." I said, "I should be mighty sorry to have you killed and leave us all here." He said, "If I have got to die I would as soon die one time as another. Do not tell me about giving him his land; by God, he must pay his taxes, and not humbug me out of it." Mr. Ely came to the door, and had his pistol in his hand, and he called to Mr. Dickinson to come to the door. My heart trembled, because I had heard him speak of it before. He came to the door and said, "Dickinson, Dickinson." The captain said, "Heh?" He said, "Come here." The captain said, "Mr. Ely, you must excuse me for answering you 'heh;' come in." Ely said, "No, I am not coming in; I just want to see you about that land." Captain Dickinson laughed, and said, "O, pshaw! You need not be afraid about that land; I do not know that Bryant will sell it." Ely said, "I have come now to settle it, and if we cannot settle it there will be death, for I intend to have my father's estate put up right; I paid that money, and I am not going to pay it twice." The captain said, "I do not

think you have paid it yet." Ely said, "I have come to give you a hell of a mauling." Captain Dickinson said, "I am not the man," and turned right around then, and went back into the office. I was sweeping in the office right then.

By the CHAIRMAN :

Question. Was this a State tax, or a United States tax?

Answer. It was a county tax, I think.

JACKSONVILLE, FLORIDA, November 14, 1871.

DOC. ROUNTREE (colored) sworn and examined.

By the CHAIRMAN :

Question. State your age, where you were born, and where you now live.

Answer. I am going on thirty-seven years old. I was born in Telfair County, Georgia, and I now live at Live Oak, Suwannee County, Florida.

Question. How long have you been living there?

Answer. Going on three years, as nigh as I can get at it.

Question. Are there any people there they call Ku-Klux?

Answer. There are some people there they call Ku-Klux, they tell me so.

Question. Did they ever interfere with you in any way?

Answer. Yes, sir.

Question. How?

Answer. They beat me.

Question. When?

Answer. It was done in town, on a Friday night, nearly three years ago.

Question. How many were there of them?

Answer. I do not know how many.

Question. How many did you see?

Answer. I saw a great many.

Question. Were there five or ten?

Answer. As near as I can get to it there were over fifteen.

Question. Were they disguised?

Answer. There was one who had his face smutted, that was Mr. Johnson.

Question. Where were you?

Answer. In my house when they came after me.

Question. Who was with you in the house?

Answer. My family.

Question. How many were there in your family?

Answer. There were twelve in the family.

Question. Who were they?

Answer. My wife and children.

Question. Did they come in the day-time, or in the night?

Answer. It was between 9 and 10 o'clock at night.

Question. What did they do to you?

Answer. They beat us.

Question. Did they take you out?

Answer. Yes, sir; they took me up hand and foot, and dragged me out, and they flung my children out of doors.

Question. How many blows did they give you?

Answer. I do not know how many; I do not know when they quit whipping me, for they beat my breath clean out of me.

Question. Did they whip your wife?

Answer. Yes, sir; and three boys and one girl.

Question. They whipped you and your wife and four of your children?

Answer. Yes, sir.

Question. What did they do it for?

Answer. They said to me, didn't I know they didn't allow damned niggers to live on land of their own? They gave me orders to go the next morning to my master, John Sellers, and go to work.

Question. Did he own you before the war?

Answer. No, sir; I never saw him before the war.

Question. What land were you living on?

Answer. On Government land.

Question. Have you been molested by anybody since that time?

Answer. Yes, sir; one of the same men shot at me in Live Oak.

Question. How long ago?

Answer. Nearly two years.

Question. Did he hit you?

Answer. No, sir; it hit right by my foot.

By Mr. BAYARD :

Question. When did this happen?

Answer. It happened in June, that is all I can tell you.

Question. Do you know what year it was?

Answer. No, sir; I never took notice of that; all I can say is that it was done on a Friday night in June.

Question. You do not know what year the June was in?

Answer. No, sir; I do not.

Question. Who were the men who beat you?

Answer. I can call the names of some: John Sellers, Sloan Sellers, Alfred Sellers, Jack Allen, Pink Parker, Ike Parker, Ike Harding, Elijah Dease, Major Sego, John Floyd, John Harold, and Mr. Summerford.

Question. How did you know them?

Answer. I knew them just as well as I know myself.

Question. Did they have anything on to disguise them?

Answer. No, sir; only John Sellers had his face smutted.

Question. You knew them?

Answer. Yes, sir; when they carried me out of doors.

Question. Had Sellers been to you before to get you to go away from that place?

Answer. Yes, sir.

Question. What did he say before that?

Answer. He said I had better leave there. He wanted my children to go and work with him for their victuals and clothes, and I did not want them to go. He got mad about it, and gave orders that if we did not leave Friday night he would kill every one of us. We did not leave Friday night, but we left Sunday night. I could not walk far; we got into the woods, and there I laid all night. In the night I heard them beating at the doors, and they scared me so I got almost right well.

Question. The same party?

Answer. Yes, sir.

Question. How much land had you there?

Answer. About seven acres planting.

Question. Did you take it up on homestead?

Answer. The most was homestead, but I had four acres fenced in, and I rented some from my cousin.

Question. Did they accuse you of anything else?

Answer. They accused me of a goat. Mr. Armstrong killed one of Jack Clayton's goats and gave it to me, and told me to pay him and he would pay Mr. Clayton.

Question. They charged you with having stolen a goat?

Answer. Yes, sir.

Question. Did they get it away from you?

Answer. Yes, sir; it lay upon the top shelf in my house, and they came the next morning and got it.

Question. Did you make any complaint against anybody?

Answer. Yes, sir. I reported them to Mr. Rice, and he arrested them and carried them there, and let them off for \$5.

Question. Who is Mr. Rice?

Answer. County judge.

Question. You made your complaint before him?

Answer. Yes, sir.

Question. Did you have those men up?

Answer. Yes, sir.

Question. Did the sheriff or the constable get them?

Answer. The constable.

Question. Did the judge find them guilty?

Answer. He made them pay \$5.

Question. Each one?

Answer. They went there without any orders from court, and arrested me, and a colored man came with them and drawed his gun on me, and said he would kill me if I moved; they came right into the house, and said they would kill me.

Question. Who was that?

Answer. Moseley Allen.

Question. Was he one of the men fined \$5?

Answer. Yes, sir.

Question. Was that after they were fined, or before?

Answer. Before.

Question. Is Judge Rice the only person you went to?

Answer. Yes, sir.

Question. Did you go back home?

Answer. I quit home.

Question. Where did you go?

Answer. I came down to Live Oak.

Question. Do you live there now?

Answer. Yes, sir.

Question. With your family?

Answer. Yes, sir.

Question. How long have you been there?

Answer. I know it is every bit of two years.

Question. This whipping happened more than two years ago?

Answer. A little better than two years ago.

Question. Have you been living quietly and peaceably at Live Oak?

Answer. Yes, sir; only they shot at me once.

Question. Who was that?

Answer. Mr. John Sellers gave John McDonald a pistol and told him to go and kill me; he fired at me, but missed me.

Question. Had you any further trouble with them?

Answer. No, sir.

Question. How long was this after you were set free?

Answer. I cannot tell you. You know that black folks do not take notice of years and months. I was set free in Telfair County a year and six months before I came down there, and it was more than a year after I came down there.

JACKSONVILLE, FLORIDA, November 14, 1871.

Hon. C. M. HAMILTON sworn and examined.

By the CHAIRMAN:

Question. There has been some testimony before this committee reflecting upon your conduct as an agent of the Freedmen's Bureau, to the effect that as such agent you destroyed contracts existing between colored people and their employers, and caused others to be entered into, for which you charged the colored people a dollar or a dollar and a half each. What have you to say in regard to that?

Answer. I very distinctly recollect having made new contracts soon after I was assigned to the command of the western district of Florida, as assistant commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands. I have somewhere among my papers a copy of the contracts that were made. Very few had been made up to that time. In fact the system of written contracts had not been adopted, and not more than half a dozen contracts in writing had been made in that district; none out of Jackson County. I wish I had a copy of them here; I do not know how to describe them in any other way than to call them outrageous. I felt that it was necessary to establish some uniform system of contracts in that county, and I drew up a form of contract, a copy of which I submitted to the assistant commissioner for the State, General Osborn, who approved it. I also sent a copy of it to General Howard, at Washington. Printed forms were prepared, and contracts were made according to that form—establishing the new system of free-labor.

Question. Did you make any charge or collect any fee upon those contracts?

Answer. I never received a single penny for making or approving any contract of the kind.

Question. Either from the employer or the employed?

Answer. From neither. Mr. Purman, who was civil agent for that county, made charges under authority to make them. He furnished the blanks and stamps; there was a five-cent stamp required for every signature to a contract.

Question. Under what authority did he make those charges?

Answer. I forget under what clause; it was under some clause in a printed circular. I do not even quite remember what was the exact amount of the fee. I think it was 25 cents.

Question. A fee that he, as the civil agent, was authorized to receive?

Answer. Yes, sir; according to printed instructions. I called a meeting of the citizens of the county before we went into this contract movement, in order to devise some uniform system under which to commence the new system of free labor in the State.

By Mr. SCOFIELD:

Question. You say "A meeting of the citizens;" you mean, I suppose, of those who hired laborers?

Answer. Yes, sir; all the citizens of the county who felt interested attended the meeting. I made a minority report at that meeting, and argued strongly in favor of adopting the system of the laborer working for a portion of the crop; that is, the laborers to receive one-third of the crop, and a certain amount of provisions.

By the CHAIRMAN:

Question. I do not ask for the particular details. What I wanted was to give you an opportunity to explain whether you had practiced any illegal extortion, either you or Major Purman. It is also charged against you that you mistreated some young ladies in connection with some flowers upon some graves of Federal or confederate soldiers; the witness did not seem to know which.

Answer. As your time is limited, I will endeavor to be brief. The sum and substance of that affair was this: The rebels in Marianna observed May-day in 1869. They went to a cemetery, within half a mile of Marianna, and decorated with garlands and flowers the graves of some rebel soldiers who had been killed there at the time of General Asboth's raid upon Marianna near the close of the war. Two or three days after that the loyal people there had a "May-day." I left in the morning for Calhoun County, but before going I requested them to take the flowers, after they were through with them, and do like honor to the Federal soldiers who were buried there. They did so; this was on Saturday. The grave of Lieutenant Adams, of the Second Maine Cavalry, had been fenced in, and had a little tomb-stone erected over it, by the loyal people, in honor of his gallant conduct on the occasion of the fight. His grave was specially adorned with garlands and wreaths. On Sunday several ladies went to the cemetery and took the decorations from his grave, tore them into tatters, threw them into the street and trampled on them, walking backwards and forwards over them. I returned on Tuesday, I think. There was considerable excitement in the town about the matter, and I did not know exactly what to do. I could not imagine what would actuate a human being to desecrate a grave, especially a soldier's grave. I had heard that the American flag had been torn down in several national cemeteries, pulled to pieces, and trampled in the dust by the rebels, at Fredericksburgh and Andersonville. I could not allow that under my eye, and therefore I sent a request through their parents for these young ladies to report at my office for an investigation. They came, quite a number with them, with their fathers and friends. There was a fair investigation; the ladies were identified by two colored people who had witnessed the transaction. They did not know the names of the ladies, but they correctly described their dresses, and Mrs. Thomas, the postmistress at Marianna, identified them as being those engaged in the affair. They were represented by counsel. I did not know what I could do with them, further than to attach the blame. I gave them a lecture upon the matter, and that was the last of it, so far as I was concerned.

The investigation of the outrage upon the nation's dead allayed a greater "excitement" than the "arrest of the young ladies" made.

"Some little excitement in our quiet community was created a few days ago by an order issuing from Captain Hamilton, of the Freedmen's Bureau, to two or three young ladies to appear at his office to answer the charge of having desecrated the graves of Union soldiers. The young ladies answered the summons by appearing at the 'captain's office' with several friends. An investigation was had, in which no reliable evidence was introduced to support the charge, and the young ladies were immediately released from arrest. We would advise our young ladies, at the present, at least, to keep out of the way of these 'Union soldiers,' dead or alive. As there are no head-boards, stones, or cenotaphs in the cemetery to guide your steps, it would be better not to go at all, for fear of treading, unawares, where you hadn't ought to, or spread flowers, or pick one up to decorate, for it might be called another name, and you be punished.

"If you should at any time desire to walk, and direct your steps toward the cemetery, tell no one of your purpose, and on reaching there look around, and be careful of observation from within or without, and at all times tread lightly. We have no doubt, on application, Captain Hamilton would grant permission to plant a tree, shrub, or flower, as an ornament to the graves of those you love, especially if not within a respectable distance from the 'sacred spot.'

"Our town authorities should immediately provide another avenue to the burial-place of our dead, that the 'sacred spot' be not viewed, much less approached, at the peril to the innocent and unsuspecting."

Question. From what paper is that article taken?

Answer. From the Marianna Courier, of May 30, 1867.

Question. Is it a republican or a democratic paper?

Answer. I would not like to call it even a democratic paper.

Question. What is it?

Answer. It is one of the most incendiary sheets ever published. I have here some of the numbers of that paper which I have preserved.

Question. Is it a republican paper?

Answer. No, sir, it is not a republican paper; and it is too mean to be called even a democratic paper. It claims to be a democratic paper, and is one of the darkest dye.

Question. [Handing witness a paper.] Is this paper, of date November 9, 1871, a copy of the same paper?

Answer. Yes, sir; and in it I find this sentence: "There is no carpet-bagger in the county to raise a row so that we can write his obituary."

Question. If you can furnish us with other articles from that paper, indicative of its tone and temper, I wish you would do so.

Answer. I have several articles here—worse than that.

By Mr. LANSING:

Question. Is Marianna the county seat of Jackson county?

Answer. It is.

Question. What is the population of that place?

Answer. Three or four hundred; it is a very populous county.

Question. Is this Marianna Courier a paper quite extensively patronized?

Answer. Yes, sir, by the Ku-Klux there.

Question. Through the county?

Answer. Yes, sir.

Question. And somewhat out of the county?

Answer. Yes, sir.

Question. Have you any idea of the extent of its circulation?

Answer. I have not, indeed.

Question. Is there any other paper published in that place?

Answer. No, sir; that is the only paper published there.

Question. Do you know any republicans who patronize or take this paper?

Answer. No, sir; I do not. I used to get it while I was there. The following are some of the articles to which I have referred, and they relate to the incident of the visit of Major Purman and myself to our homes in Marianna, Jackson County—particularly do they refer, in most shameful and provoking language, to the "old fathers" of the place, who escorted us on our return, across the borders of the State, to insure a safe exodus out of the county. The cause of the arrest of the men referred to in the first article was this: These men who were arrested were planters, who had parceled their land among their laborers, under the usual contract. When the "crop was almost ready to lay by" these employers drove a laborer, with his wife and sister who had helped him in his crop, from his tenancy, upon the charge of "impudence." At the expiration of the contract, when a general settlement for the year was made, this discharged hand applied for his share of the crop, but was again driven away and refused. I directed a settlement to be made, and they still refusing, I sent a guard to protect the laborer. The guard observed preparation for resistance on the part of the employers, and they were then arrested.

[From the Marianna Courier.]

"A COMPARISON.—The crimes and atrocities perpetrated by Kirk in North Carolina have been heralded throughout the Union with the severest strictures on their enormities and baseness by one party, and dementing apologies, couched in sickening and disgusting lies, by the other, while independent and unbiased writers have often wondered that Christian forbearance could be so greatly imposed upon as to permit the vile wretch to continue in his oppressive, tyrannical, and murderous career with impunity. Indeed, says a Northern exchange, 'if the citizens of North Carolina permit this butchery of their friends to go unavenged, they are unworthy of liberty and freedom, and disgrace the name of American.' But what does the immensity and vastness of this man's acts consist of? Depriving men of their liberty without right or law, and incarcerating them; maiming and bruising, assaulting and injuring, beating and felling with muskets when ready acquiescence is not made in unreasonable and insulting demands; abusing, cursing, insulting, threatening, and subjecting to every objectionable treatment and outrage on sensibility, while under ignominious guards during confinement. These are the gross wrongs, inhuman outrages, and demon-like atrocities at which the sense of the people of the whole Union recoils with revolting disgust, disdaining anger and threatening wrath! But how do these details, considered heart-sickening, compare, or more properly contrast, with the wrongs inflicted upon this county by Hamilton and Purman, the resentment of which was denominated insurrection? Let the parallel be commenced by reversion to the seditious language and insurrectionary advice given from the speaker's stand to large audiences of colored men, with slander, insult, abuse, and vituperation, coupled with menaces and threats against white men, and, at the same time, those present incited to wrong, injury, and the commission of felonies, were fed on crime to vomit blood; let the wrongs and injuries inflicted in the unfair and unjust exercise of the duties in the little mill of tyranny—Freedmen's Bureau—be unmentioned, but let it not be forgotten that three citizens of this county were insultingly arrested and ruthlessly incarcerated in a filthy old smoke-

house to be made to succumb to an unfair and unjust disposition of their property that amounted to absolute robbery; let the huge proportions of oppression, tyranny, and degrading insult be marked in the arrest of the young ladies of this place to be arraigned before a vile potentate of brief authority; with the petty tyrannies, menial oppressions, and cowardly exercises of malignity and hatred unnoticed, the irrepressible rules of cause and effect and the natural and legitimate consequences of them must loom up in colossal proportions, the heart-sickening details of the damnable atrocity in the hellish assassination of a pure, innocent, inoffensive, and passingly lovely lady, which, regardless of the demon-like fiend whose hands were stained with this inextinguishable blood, is traceable to these very men, under whose nurturing care three-fourths of the crime of this county was given embryo birth and fostered through its earlier stages even by the very means above indicated.

"Now, to cap the climax of this contrast, these men have the surprising impertinence and brazen-faced impudence to intrude themselves into the notice of the very people whom they have wronged to injury, injured to outrage, outraged to criminal tolerance, and placed themselves in the gaze of the revolting picture they have made. It is well that they should know that no Lethæan spray can erase the deep impressions on memory's tablet; no wave of oblivion can submerge the deep and just enmity everywhere entertained against them, and that time itself can never smother the lively spirit of vengeance that deep sense of gross wrong ever prompts to action, and that, though the uplifted hand of outraged justice may for a time be stayed from the execution of its demanding duty, so sure as Heaven is true and God is just its impending wrath will yet overtake them in their vile career."

[From the Marianna Courier, August 18, 1870.]

"The crowning act of humiliation and degrading self-debasement has at last been committed by the prudent and over-cautious, and the truckling obsequiousness to policy and fear has reached its climax, rendering a disgusting and sickening spectacle of humble beggary and cowardly surrender too revolting to be considered. After Hamilton and Purman, two of the most debased, dishonorable, and infamous villains unwhipped of justice, having wronged, injured, outraged, oppressed, and tyrannized over, for a time, to the extent of reducing to abject slavery the whole people of this county; after having arrayed the labor of the county in enmity and hostility to our citizens by abuse, insult, slander, and calumny, and left them trained for disorder and strife, when they had become personally so offensive and odious to fear to meet the men they had wronged; after having infused into the minds of these people every deviltry and villainous intent with criminal advice and damnable counsel as to its perpetration; after having incarcerated our citizens in filthy dens, and subjected them to outrage for robbery; after having arrested the daughters of prominent members of this community as an insult and outrage to it; after having necessitated a result of bloodshed and murder, in the perpetration of which not only good and law-abiding citizens have been lost, but an innocent and passingly lovely lady has fallen a sacrifice; after the perpetration of other hellish crimes and demon-like felonies, attributable and traceable to these identical fiends—even when only a few days since they had laid a scheme and concocted a plan to drench our very streets in the blood of its citizens, under certain contingencies; a self-constituted committee of some of the most prominent citizens of the county became an escort to guard these men from danger and free them from harm. The recitation is horrible to be considered, and it is useless to comment on such humbling beggary, such degrading action, such humiliating resorts. The protest of three-fourths of the white citizens of the county is entered against it; if considered representatively, they regard it as an outrage; if individually, as ignominious. A few months will convince all that these men have tarnished their honor, and contaminated their characters by

" — One foul, one degrading spot,
One act, which, when dying, they would wish to blot."

[From the Marianna Courier, September 22, 1870.]

Communicated.

"THE ENEMIES OF PEACE.

"EDITOR COURIER: Please inform the people of Jackson County, through your columns, that Homer Bryan, Dan. Bryan, and Benjamin Livingston were the three delegates from it who went to the Gainesville convention in the interest of Hamilton and Purman, the notorious slanderers and disturbers of the public peace, who have ever endeavored to keep our county in a state of turmoil, lawlessness, and anarchy. These men want to uphold Hamilton and Purman in the war they have been trying to get up in this county, and are ready to furnish all the assistance in their power to continue and increase dissension, discord, strife, and even hostility, between the two classes of

our citizens who are now enjoying harmony and concord, and they will be remembered as the enemies of peace and good order. They know that Hamilton and Purman are the authors of all the troubles in Jackson County; for such has not only been the statement of every United States officer who has been in the county since the commencement of their crusade against the peace, happiness, nay further, the dearest and most cherished objects of life, but it has also been made to their very teeth, from the public stand in Marianna, by J. C. Gibbs, secretary of state, and the foremost and decidedly most talented leader in their party. The above-named parties are now working in their interest, and assisting in the execution of their plans. Let it be remembered.

“VERBUM SAT.”

Question. Are these extracts fair specimens of the average tone and temper of that paper?

Answer. Yes, sir.

By Mr. BAYARD:

Question. I observe that the paper from which you gave the first extract bears date four years and six months ago.

Answer. Yes, sir.

Question. It was in May, 1867, that that article was written, and the transaction occurred about which the chairman has inquired?

Answer. Yes, sir.

The CHAIRMAN. I did not institute any inquiry concerning that transaction. I merely referred to it as testified about before us here in a manner reflecting upon Mr. Hamilton.

Mr. BAYARD. I was precisely accurate in what I said.

Question. How old were those young ladies who were brought before you?

Answer. They were all over twenty; from twenty to twenty-five, I should say.

Question. Did you say they were identified by the persons who saw them?

Answer. Yes, sir.

Question. They recognized them as the people who had done that thing?

Answer. Yes, sir.

Question. They were two colored persons who saw them and identified them?

Answer. They were.

Question. You say there was an order issued by the Freedmen's Bureau, authorizing and instructing you to frame new instructions for the labor of the people here in Florida—of the colored people here?

Answer. No, sir; there was no definite orders upon the subject of contracts. But it was presumed to be necessary to work under some kind of an arrangement to insure justice to both parties.

Question. To get them out of the country?

Answer. Yes, sir; that was soon after the war.

Question. What persons were trying to get these people out of the country; and to what parts were they trying to take them?

Answer. I cannot answer that question now without referring to certain papers; I have not thought of the matter for some time. I made those contracts in the interest of the freedmen and of the employers.

Question. You say you called a meeting?

Answer. It was a general call, at my request.

Question. You refer to a regularly organized meeting?

Answer. Yes, sir.

Question. I infer from your statement that there was a committee on resolutions?

Answer. Yes, sir.

Question. And there was a majority report from that committee?

Answer. Yes, sir.

Question. And you made a minority report?

Answer. Yes, sir.

Question. Who made the majority report?

Answer. The others; it did not differ very materially from mine except as to wages. They were rather in favor of giving wages at the rate of \$6 a month.

Question. The white people throughout the county who employed the laborers?

Answer. Yes, sir; \$6 a month, with a hundred pounds of meat a year. This was a year after I went there. My experience there impressed me with the belief that the best system to adopt was to have the laborers work for a portion of the crop, in order to excite an interest on their part on the care and cultivation of the crop as an incentive to labor, which they would not have if they were paid stated wages; this must be self-evident.

Question. Was this in 1866 or 1865?

Answer. It was in 1866.

Question. This contract arrangement was made by you in that way?

Answer. Yes, sir; and approved by a majority of the farmers.

Question. When you came there you found a system of wages and so much allowance offered?

Answer. They had no system at all. I have known instances where they would employ laborers, and for the least impudent word they would discharge them without paying them a cent, though they had worked all summer. When the crop would be laid by, as they call it, that is, when almost all the work upon it had been done, as far as the working—cultivation of it—then if the laborers were impudent, or used language which they chose to construe as impudence, they would discharge them and drive them off the place.

Question. If they were paid wages by the month, it would make no difference to the laborers, would it, when they went off, so their wages were paid them? You changed the system from the payment of wages to an interest in the crop.

Answer. Yes, for two reasons; first, to excite in the laborer an interest in the crop; and secondly, to insure a compensation for labor performed.

Question. You changed it from a sum certain in wages to an interest in the crop?

Answer. They had no system at all. They all concurred that it was the best policy to pursue, and adopted it.

Question. To give them an interest in the crops produced?

Answer. Yes, sir; and they do that to-day.

Question. You said that when you went into Jackson County you repealed all contracts then existing, wherever they were in conflict with the kind you favored, and new ones of the form you prescribed were adopted?

Answer. There were not a dozen written contracts in the whole district when I went there. I wish I had here a copy of the form of contract which had been adopted; it was simply outrageous. It was gotten up by some State officer in Georgia; I do not remember who he was. It put the laborer in a worse condition than slavery.

Question. When those contracts were made, as you thought, just and right, by authority of the Bureau, a fee was charged by Mr. Purman, who was your assistant?

Answer. Yes, sir.

Question. That is the fact?

Answer. Yes, sir.

Question. By whom were those fees paid?

Answer. By the contracting parties.

Question. By both parties to the contract?

Answer. Each of them paid a fee.

Question. There was only one fee to a contract?

Answer. There was a fee for each signature.

Question. The authority for charging that fee you say was contained in the circular letter of instructions?

Answer. Yes, sir.

Question. Was there any law for those fees, or were they founded on the mere construction of the order of the Bureau?

Answer. I do not know whether they were based on any specific law, but it was contained in the rules and regulations governing the Bureau.

Question. Did you ever see a law authorizing a charge of that kind in the case of private contracts between individuals? Do you think there is any such law of Congress?

Answer. I do not know about that. I never heard of a written legal instrument being executed gratuitously. They paid for the stamps and the paper for, and printing of the contract, and for the service of the agent riding over the county making them.

Question. Independent of that, do you think Congress authorized the collection of any fees in the case of private contracts between persons? Of course, we all know what stamp duties are; but I understand you to say that there were charges beyond those for stamps.

Answer. The civil officers are allowed a fee for approving a contract.

Question. I ask whether these contracts were authorized by any law of the United States, or whether any fee was allowed for drawing, attesting, or supervising a contract?

Answer. I do not remember having seen any law. But section 6, I think, of printed instructions authorized the civil agent to collect a fee.

Question. How long were you at the head of the Bureau there?

Answer. I was assigned to duty there in 1866.

Question. How long had you then been in Florida?

Answer. I was ordered here in the winter of 1865.

Question. You had been in the Army of the United States?

Answer. Yes, sir.

Question. Had you ever had any professional training before you entered the Army?

Answer. No, sir; I enlisted while still a minor.

Question. Before you were of age?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Have you ever examined particularly the various acts of Congress creating and maintaining the Freedmen's Bureau ?

Answer. I have.

Question. Do you recollect whether the Secretary of War, or any other officer, was allowed or required to make regulations for the management of the Freedmen's Bureau ?

Answer. The Secretary of War and the Commissioner of the Freedmen's Bureau were authorized to do so.

Question. The Commissioner of the Freedmen's Bureau was subordinate to the Secretary of War ?

Answer. Certainly.

Question. And under those regulations these contracts were made, fees charged, &c. ?

Answer. Yes, sir. I would like to refer to the matter of our getting out of Jackson County last fall, returning from a visit to our home, when the Ku-Klux picketed the roads. But as this is the last hour of the committee here, I shall not detain you. An article in relation to this from the Marianna Courier of August 13, 1870, I shall leave with you. As I was waiting outside of the door yesterday, I indirectly heard some testimony given by a man from Leon County, John Williams, who lives a hundred miles from Marianna—a man whom I do not know. I simply observed that he was discussing me, and at once withdrew from hearing.

By Mr. BAYARD :

Question. You refer to his account about you ?

Answer. Yes, sir. He endeavored to trace back through five or six years the responsibility for the horrible crimes perpetrated there within the last two years; to trace the responsibility for them back to the time when I commanded that district. I will affirm that, during all the time I was in charge of the western district of Florida, but one outrage was perpetrated in the entire district. A colored man was shot on the highway by a man of the name of Parker, who immediately fled the county, and has never been heard of there since. I will say that I never received a direct personal insult in that county. I got into some difficulties soon after I went there, but I never really received an insult in that county. I state this simply to show that the horrid rumors of to-day were then not whispered. I have been abused and vilified by citizens in that county and out of it. I regret that you have not sent for some of the radical rebels in Jackson County, instead of men who really know nothing about affairs there, and base their statements upon inflated rumor. I challenge any democrat or Ku-Klux in the State, whether living in Jackson County or out of it, to put his finger upon one single official act of mine while there that was not warranted by necessity, and based upon right and justice, so far as I was able to determine right and wrong.

Question. How long did you remain there ?

Answer. I was there from 1866 to January 1, 1868, when I was mustered out of the Army by the general order mustering out all officers of the Veteran Reserve Corps.

Question. At what time was the first act of violence committed there ?

Answer. The first outrage perpetrated there, I think, was the assassination of Dr. Finlayson and the shooting of Major Purman, in February, 1869. I have some letters here from John Q. Dickinson, which, with the permission of the committee, I will append to my testimony. (See page 239.) I have also a petition of citizens of Jackson County to the then governor of the State, Governor Walker, and to General Foster, protesting against the loyal people of Jackson County celebrating the Fourth of July, 1866. The mayor and the people there forbid the bearing of the United States flag in the procession, under penalty of its being fired upon. But we had a glorious celebration. All turned out, white and black, and everything passed off quiet. I mention this only to show what was the sentiment of the people there in 1866. I find among my papers here the letter from the Secretary of State to which I referred a moment ago. It is as follows :

“ DEPARTMENT OF STATE,

“ *Washington, October 3, 1866.*

“ GENERAL: This Department has information that plans are on foot to lead freedmen to move abroad, and in particular to Peru, upon a promise of higher wages than they receive at home, and probably by other inducements. As there is reason to believe that these promises will not be fulfilled, it is deemed to be the moral duty of the Government to prevent the freedmen from being imposed upon by them. It is consequently suggested that officers of your Bureau be instructed to advise the freedmen to be cautious how they conclude bargains to go to foreign countries.

“ I am, general, your obedient servant,

“ WILLIAM H. SEWARD.

“ Major General O. O. HOWARD,

“ *Superintendent of the Freedmen's Bureau, Washington, D. C.*”

"Official copy furnished for the information of Captain C. M. Hamilton, sub-assistant commissioner, &c., Marianna, Florida, who is directed to comply with the suggestions contained in the foregoing letter of the Secretary of State. Contracts with freedmen will not be approved by sub-assistant commissioners when they are required by the terms of contract to pass beyond the limits of the United States. Such proposed contracts, if any exist, must be forwarded for the consideration of the proper authorities.

"By order of Brevet Major General J. G. Foster, assistant commissioner.

"J. H. LYMAN,

"Acting Assistant Adjutant General."

"HEADQUARTERS DISTRICT FLORIDA,

"Office Assistant Commissioner B. R. F. and A. L., October 16, 1866."

The nature of the people of Jackson County, and so pretty generally of the people of the South, has been so perverted by the institution of slavery, and the teachings of their leaders, that, as a general thing, they lack many of the finer sensibilities that belong to honorable manhood.

Question. Is that your criticism upon the mass of the people of that county?

Answer. Not only upon the people of that county, but upon the old slave-holders of the South generally. There is this difference between the northern and southern people. In the northern there is an individuality you don't find in the southern people. What I mean by that is, that slavery has been a barrier to civilization, and has tended to the degeneration of the people who have lived under its baleful influences for almost three generations; and the result is that, to a great extent, the southern people counsel with, and are moved, actuated, and controlled by the impulses of passion, prejudice, and sentiment, rather than by reason and cool judgment. This is a characteristic of all people in like condition. How few the minds which control the South is evident in the history of secession and rebellion.

Question. Are you now a Representative in Congress of the people of this State?

Answer. I am not now.

Question. You did represent them in Congress?

Answer. Yes, sir.

Question. You were sent from this State to act as their Representative in Congress, with such feelings toward them, and entertaining such opinions of them as you have just stated?

Answer. They can read my record in Congress. I trust I am not controlled by passion and prejudice. When I came here I had the kindest and most charitable feelings toward them.

Question. You were content to go there as their Representative, entertaining such opinions of them?

Answer. I could not help it; I was not responsible for their nature and condition.

Question. What office do you now hold?

Answer. I am postmaster of the city of Jacksonville.

Question. When did your congressional term expire?

Answer. With the Forty-first Congress.

Question. And you have held the office of postmaster here since that time?

Answer. For part of the time.

Question. Do you know what is the circulation of the Marianna Courier?

Answer. I do not.

Question. What is the population of Jackson County?

Answer. I could not give the exact figures; I think it is eight or ten thousand.

Question. The preponderance of negro population in that county is very great?

Answer. No, sir; not so much so.

Question. What do you mean by "not so much so?" How many negroes to one white are there in that county?

Answer. I mean not so preponderant as to be "very great." I think the two races are very equally divided there; the negroes are not much in the majority.

Question. Do you say that the population of Jackson County is pretty equally divided between the blacks and the whites?

Answer. The blacks are in the majority there, but they are in the minority in the State.

Question. You have here expressed your views of southern people and of the people of Florida. Have you constantly been in the habit, publicly and privately, of expressing such views in regard to them?

Answer. No, sir. These are my opinions founded upon observation, and I give them for your information.

Question. Have you in the course of your stay in this State indulged yourself in such expressions as you have used before this committee to-day?

Answer. No, sir. I am trying to discover some effective way to deal with these people; we have failed in an appeal to their reason.

Question. That is your opinion of the people among whom you have now made your home?

Answer. We have failed to accomplish anything by appealing to their reason. The only way of having peace here and erecting a secure government is by taking a pretty vigorous hold and repressing this spirit of rebellion, which, since the war, has become intensified ten times over what it was during the war.

Question. These sentiments you express to us are not those you ordinarily express here?

Answer. I do not express them at all publicly.

By Mr. LANSING :

Question. What, in your judgment, was the effect in the South of the defection of Andrew Johnson from his party and its principles?

Answer. To arouse the spirit of rebellion, which the national armies had only partially suppressed.

Question. Did it have the effect of reviving the latent hopes of the South?

Answer. Yes, sir; there is no doubt of it at all.

Question. What was the condition of the southern mind upon the accession of Johnson to the Presidency, and before he had abandoned his party and its principles?

Answer. I think they were willing to yield a ready acquiescence to the Government. They were satisfied they had committed a great error in rebelling, not only an error of the heart, but an error of judgment. And before his defection they would have been very well satisfied, and would have felt that they had more than justice done them, as I have often heard them express themselves, if they were "only allowed to remain unmolested in this country." The worst of them did not expect to ever again participate in the administration of the government.

Question. You think that was the condition of the southern mind from the time of the surrender to the treachery of Andrew Johnson?

Answer. Yes, sir; I have no doubt of it at all.

Question. Then do you look upon his treachery as the great cause of all the trouble and misfortune in the South?

Answer. Yes, sir. Allow me to state right here that when the reconstruction acts first passed Congress, the Yankees, as we are called, most of us soldiers who were in the South, rather stood back, did not really feel at that time that they had any particular right to interfere in politics, or to take part in them. But the reconstruction laws were passed; reconstruction was necessary; the Government of the United States was determined to reconstruct the South; the democratic party in the South adopted the policy of masterly inactivity, as they called it; there was a new element here that had been enfranchised who were without leaders. The northern men in the South, and there were but a handful of them in this State, who had been in the Army, took hold of this matter of reconstruction, and they have perfected it as far as it has been accomplished. At one time Florida was one of the most thoroughly reconstructed States; but since then—well, you have here learned as much as I know about it. In relation to the character of John Q. Dickinson, I desire to say a word. Among all my acquaintances in this State of Florida, or in my native State of Pennsylvania, I do not know a man who possessed more sterling qualities, one who was a more honorable man, a more moral and upright man, a more Christian man—for one not making a profession of Christianity—than Colonel John Q. Dickinson, native of Vermont, who was assassinated by the Ku-Klux of Marianna.

MARIANNA, September 30, 1869.

DEAR HAMILTON: Another and yet another murder. On Tuesday, the 28th, the colored people got up a picnic at the Robinson Spring, near the Natural Bridge. A company consisting of Washington Rivers, Wyatt Young, and Calvin Rogers, and twenty-three women and children, were on the road to attend. When just at the old Robinson sugar-house and still they were fired upon from out of the thick bushes with a repeating rifle—about thirteen or fourteen shots in rapid succession. Calvin Rogers was in a single ox-cart alongside of Della White, and only twenty-five yards from the tree under which the assassin stood. Four shots struck various parts of Calvin's clothes and wallet, one of them grazing his arm. Rogers had but one load, which he fired. Rivers was not armed so far as I learn. Wyatt had come on ahead and was then fishing in a hole in the creek directly opposite, (across the road from where the shooting came, about fifty yards distant.) He had Rogers' ammunition. Rogers called for him, but he did not answer. It seems he ran up, and finding in the confusion that one of the oxen was running away with Ben Livingston's little boy Stewart (about two years old) in the cart, he caught the boy out of the cart, and just then a bullet pierced the boy's head, passed through, and entered the left breast of Wyatt, killing them both instantly. Nobody else was hurt. I heard of it in about an hour, and in the course of another

hour and a half was under way with about thirty men. We scoured about, but found no clew except a mysterious buggy-track that came from Marianna way, and left the Campbellton road at the foot of Dudley Hill. The track was fresh, and we followed it by the Natural Bridge to Greenwood, when darkness overtook us, and we got home late at night. I am holding an inquest which bids fair to remain in session two or three days. Lawrence Arnistead is suspected, but nothing conclusive is reached yet.

Last night, about dusk, Columbus Sullivan and George Cox were hauling home a load of cotton, when they were fired upon. Sullivan's face is horribly mutilated and one eye put out. Cox was hit with small shot in the arm. Both will recover. My mind and my time are more than occupied, and I only snatch time to write this much. Send this to Purman if he isn't with you. I can't write to him this mail.

J. Q. DICKINSON.

Hamilton, can you get a first-class detective to come here? No half-way man will do. If I had one here now I believe something could be accomplished. The inquest may develop something, but I don't quite see what. If detectives can't be furnished, a few Henry rifles would have an excellent moral effect here.

J. Q. D.

MARIANNA, October 3, 1869, (*Sunday Night*.)

DEAR HAMILTON: The inquest on the case I wrote you of last has closed after a three days' session and found a verdict of "shot by unknown," &c. Everything was calm apparently. I heard no dissatisfaction expressed. The verdict was rendered at 4 p. m., Friday, the 1st October. At about 9 o'clock p. m. of that day Maggie McClellan was shot dead, and Colonel Mc. badly shot in the shoulder, as they were sitting on the piazza of the hotel with several others. Colonel Coker fired a pistol after the party or parties. Colonel Mc. recognized the voice of Calvin Rogers giving the word "fire." Calvin came into town in the morning, when lo! fifty or sixty armed men were stationed about. Not a word had been said to me about the guilt of Calvin, and I never once thought of it or I might have arrested him, and saved an immense expense and trouble. Calvin went along near White's, when about ten men with guns made a charge from near the old Courier office, and some one told Calvin they were after him. In fact, they yelled after the fashion of the "rebs" in a charge, which I have no doubt you have heard many a time. Calvin, I suppose, saw nothing but immediate death, and broke for parts unknown. People kept gathering from all parts of the county, armed mostly with double-barreled shot-guns, and many of them mounted. There are about two hundred of them. They scouted all the country round about. I have no idea which way Calvin went, as the news is sedulously kept from me. I heard, accidentally, that he was seen in the neighborhood of Bethlehem church. I kept on the street all day yesterday trying to keep down the tendency to further bloodshed. About 9 o'clock in the morning somebody arrested Oscar Granbury, and he was shot dead by some one while in charge of a party of drunken fellows.

The wildest part of the crowd are opposed to having an inquest, and the better class are afraid to urge it against these headstrong youngsters, who have always ruled their betters to the damage and disgrace of the county. As it is, an inquest would be but a farce, or, if it were good for anything, would be apt to provoke a fight. Terror reigns. I shall await the return of quiet, when I will hold the inquests in due form at least. I still hold to the opinion expressed in my last, and hope it may be consummated. After further developments I will write you. It is a small hell on earth here now. Write me about that convention right off.

Yours,

J. Q. DICKINSON.

MARIANNA, FLORIDA, October 7, 1869.

DEAR HAMILTON: I must take a moment to write you. First, don't come here, nor let Purman come, till I write you.

Since my two letters excitement and horror has increased, but only one life lost. I am uncertain just now whether I wrote you about Henry Reed. Monday night they went to his house and called him out. He begged—told them he was sick, and everything he could, but they insisted. His wife and son jumped the window and ran. They fired on the boy, but missed him. While looking for the boy, Henry escaped through another window, and ran and got under Mr. Ely's house, where he staid twenty-four hours. Saturday night they fired on Bill Bryan and wounded him, but not severely. Tuesday a colored man (name unknown) was killed on Ham Bryan's place—particulars unknown. Wednesday night (the 6th) they came to Richard Poore's house, hauled him out, and ordered him to march on ahead. He broke and ran. They fired and missed him. He ran under Dr. West's kitchen, and staid there till morning. Nothing

can at present be found out, and nothing done. I look to the future for relief. Send us a sheriff, and we can enforce the law; as it is, I am a mere plaything. Day before yesterday they notified Fleischman to leave. He refused. They gave him two hours; afterward, till sundown. He wouldn't go. They came after him about 9 o'clock, and carried him over into Georgia by force. It will ruin him. Can you do anything? If so, do it; but do not send any soldiers, and do not come yourself. I have not a moment more.

Yours,

J. Q. DICKINSON.

P. S.—A. H. Lowe has assessed Coker, and he thinks the assessment wrong, and this morning came and demanded that Lowe should annul it, or he would have it out of him. Sweet, isn't it?

J. Q. D.

MARIANNA, October 11, 1869.

DEAR HAMILTON: About the time I was writing my last to you, on October 7, the most foul murder of all was being committed. Three men went to the house of Matt Nickels, and took him, his wife, and son out, in broad daylight, and shot them dead at a lime-sink about a quarter of a mile from their house. An inquest was held, and the jury, after consulting *one minute*, brought in a verdict against John T. Myrick, William Coker, and Edward S. Alderman. They have left the county. All quiet since till to-night, about an hour ago, I learned that some white man was lying dead over near Adam McNealy's. Don't know who it is. An inquest has been summoned.

Total casualties so far:

| | | | |
|---------------|---------------|---------------|---------------|
| Whites..... | killed 2 | wounded 2 | total 4 |
| Colored | killed 7 | wounded 2 | total 9 |
| | <u>9</u> | <u>4</u> | <u>13</u> |
| | <u> </u> | <u> </u> | <u> </u> |

That is including the last, which I hope is a rumor. All this since September 28. Good God, Hamilton, isn't this awful?

Yours,

J. Q. DICKINSON.

JACKSONVILLE, FLORIDA, November 14, 1871.

J. W. CHILDS sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now reside, and what is your present occupation.

Answer. I am thirty-six years old. I was born in Chatauque County, New York, and I now reside in Gainesville, Alachua County, in this State. I am a merchant there.

Question. Have you on any occasion acted as deputy marshal?

Answer. Yes, sir.

Question. When?

Answer. During the past year and a half.

Question. Have you had any resistance to you in executing any process from the United States court?

Answer. Last winter I had some resistance offered to the arrest of parties in Columbia County?

Question. What were they charged with?

Answer. With the violation of the enforcement act. I attempted to make arrests of three of the party, and they violently resisted, and declared that they would not be arrested. I found it impossible to make the arrest; they used abusive and insulting language.

Question. Did they exhibit weapons?

Answer. They drew several weapons upon me.

Question. Did they know you had authority to arrest them, and to summon citizens to help you?

Answer. I read the warrant to them, and told them I had authority to summon a posse, and I called upon three who were present.

Question. What did they say?

Answer. They said they had nothing to do with the damned radical institution; they said that it would be impossible to make any arrests up there; that they were not going to be taken away by niggers.

Question. Did you make the arrests?

Answer. No, sir.

Question. Have they been made?

Answer. They have not.

Question. Not to this day?

Answer. No, sir, two of the party have not been arrested; one of them, I think, has come in; he did not resist, and he has come in and given himself up.

Question. Have you traveled much over this State?

Answer. Yes, sir.

Question. Have you any reason to suppose there is an organization in the State commonly called Ku-Klux?

Answer. I have reason to suppose there is, but I am not positively knowing to the fact.

Question. State whether in different parts of the State there have been crimes committed which, in your opinion, are attributable to them?

Answer. I live in Hamilton County, in the interior of the State, and I know during the years 1869 and 1870 there were some nine or ten murders committed.

Question. In those two years?

Answer. In about a year.

Question. Have any proceedings been had to punish them?

Answer. There have been no arrests made.

Question. Do you know about any other county?

Answer. I was in the county at the time one of the difficulties occurred, and I am informed that in Polk County some colored people were coming into town and were driven out by a drunken party that were there.

Question. Do you know anything about any other county?

Answer. I have been through a great many counties of this State; in most of them I am aware there is a bitter feeling and prejudice against colored people, and extending even to outrage.

Question. You live in Alachua County?

Answer. Yes, sir.

Question. What has been the condition of things there?

Answer. It has not been so bad in our county as in other parts of the State; still there is considerable lawlessness there. Last winter a mob took a colored man who had been arrested out of jail and hanged him.

Question. With what was he charged?

Answer. With shooting another man.

Question. A white man?

Answer. Yes, sir. There have been several murders in the county. A few weeks ago a desperate character rode into a store and shot a colored man deliberately and killed him; there was no arrest made. In all these cases where colored men are killed, it is very seldom an arrest is made, and if one is made, the proceedings are very slim.

Question. They do not result in anything?

Answer. No, sir.

By Mr. BAYARD:

Question. When did you come to Florida?

Answer. I have been here some six or seven years.

Question. You came here during the war?

Answer. I came here in 1866, and I have been a resident of the State since then.

Question. Where were you during the war?

Answer. I was in Virginia, but during the last part of the war I was in Key West.

Question. You were in the United States service?

Answer. Yes, sir.

Question. What office did you hold?

Answer. I am deputy tax collector, a State office, and deputy United States marshal.

Question. Have you served many proceses through the State as marshal?

Answer. I have in Alachua County and in Columbia County.

Question. Is this case you have mentioned the only case where you have been forcibly resisted?

Answer. That is the only case.

Question. When did it occur?

Answer. Last winter, during the term of the court.

Question. What had this man done?

Answer. It was for the violation of the enforcement act. It was an armed body of men who drove the colored people from the polls in that county.

Question. When?

Answer. Last November.

Question. Was there a riot there?

Answer. These were the facts: an armed body of men came in and drove the republicans from the polls.

Question. Against how many men had you warrants?

Answer. I believe four.

Question. Were they all together when you came up?

Answer. No, sir; only two.

Question. Had you any resistance from more than two?

Answer. Yes, sir; I had resistance from another.

Question. At a different place?

Answer. That same day; he did not use violence, but he said if it was convenient he would come down, but he did not feel like going then.

Question. Did he go?

Answer. No, sir.

Question. Was he afterwards arrested?

Answer. He afterwards gave himself up.

Question. Who were those other men?

Answer. Pulaski Farnell and Burton Seely.

Question. Were either of them afterwards arrested?

Answer. No, sir.

Question. Are they in the State?

Answer. I believe they are.

Question. Has any attempt been made since to arrest them?

Answer. Yes, sir.

Question. Who made it?

Answer. I made one attempt with soldiers, but I could not find them.

Question. They evaded you?

Answer. Yes, sir.

Question. Did you make more than one attempt?

Answer. No, sir.

Question. Has any other person made an attempt to arrest them?

Answer. I understood an attempt had been made, but I do not know the fact; it is a desperate state of lawlessness there.

Question. Who had you with you?

Answer. A deputy sheriff.

Question. Both of you were white men?

Answer. Yes, sir.

Question. Had you arms at the time?

Answer. Yes, sir.

Question. Did you exhibit them?

Answer. No, sir. I had a revolver cocked; I did not know but they would fire at any moment, and I quietly cocked my revolver; they flung their revolvers around in a very desperate manner.

Question. Were they alone?

Answer. No, sir; there were three or four others present.

Question. Did you attempt to get a posse?

Answer. I called upon the others to assist me, and told them they were violating the law; I explained to them what the law was, but they paid no attention whatever to it.

Question. Did you finally get a posse?

Answer. No, sir; a few days afterwards I went out with some soldiers.

Question. This was last winter?

Answer. Yes, sir; in January, 1871.

Question. What is the condition in life of those two men who resisted you?

Answer. They are men of moderate circumstances.

JACKSONVILLE, FLORIDA, November 14, 1871.

SAMUEL J. DOUGLAS sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, where you now reside, and what is your present profession.

Answer. I am in my fifty-eighth year. I was born in the town of Petersburg, in the State of Virginia, and I now reside in Tallahassee, Florida. I am a lawyer by profession and I am now following my profession.

Question. Will you state whether you ever belonged to an organization called the Democratic Club?

Answer. I did.

Question. At what time?

Answer. More than two years ago; nearly three years ago.

Question. In what place?

Answer. In the city of Tallahassee.

Question. How long did you continue your connection with it?

Answer. About six or eight months.

Question. How many times did you meet?

Answer. It was the habit to meet once a week, I think.

Question. Did you attend the meeting of the club that often?

Answer. No, sir; I did not.

Question. Did you withdraw from the club?

Answer. The club disbanded, I think, upon my recommendation.

Question. Why did you recommend the disbandment of the club?

Answer. Because the object for which it was formed ceased to exist.

Question. What was the object?

Answer. After the first election, in 1868 I think it was, there were numerous frauds committed upon the ballot-box, as it was supposed; two ballot-boxes were found with false sides, and there was reason to believe that great frauds had been committed. The first object was to have some one we could rely upon to watch and see that frauds could be no longer committed upon the ballot-box; that was the first object of the association. Afterward, there was great discontent among the colored people. During the pendency of certain measures before Congress, certain Constitutional amendments, and certain acts of Congress securing to the colored people their rights, they became very much excited; they were very disquiet, and used to go to Tallahassee in crowds of a thousand at a time, armed with guns and clubs and other weapons, and parade the streets. I never believed there really was any danger, but the female portion of our community were very much afraid, and a great many of our people believed that there would be a collision between the two races. The club was continued, and one of the objects was to prevent any possible collision between the colored and white races. Another object was, if a collision did take place, they might be able, through the organization, to arrest it; and if, from any indiscretion of any young men, a collision with the colored people should be brought about, the organization could go in a body and stop the collision; or, if that could not be done, it was our duty, as we supposed, to be in a condition to defend our homes and firesides against any assault.

Question. It was a semi-military organization?

Answer. It was, and that was the object of it. Afterward, when the colored people became satisfied that their rights were secure, and we no longer had any apprehension from them, and they were no longer under apprehension that they would be deprived of them, they ceased in a great measure these hostile demonstrations, and, upon my recommendation, the club disbanded and we had no more meetings.

Question. What was the date of this organization?

Answer. I think it was organized in the summer of 1868; I was not in the State at its first organization; I was absent in Virginia.

Question. At what time did you recommend the disbandment of the club?

Answer. About eighteen months ago, I think.

Question. After the last Presidential election?

Answer. Yes, sir.

Question. Did the club have a written constitution?

Answer. Yes, sir.

Question. Please look at this and see if it is substantially a copy of your constitution. [Handing the witness a copy of the constitution of the democratic club, furnished by the witness Frank Myers.]

Answer. I think that is substantially the same.

Question. Did the organization extend through the State?

Answer. I am not able to tell you upon that point; I think it is possible that in some one or two other counties there was such an organization; but I am not able to say.

Question. The one to which you belonged was in Leon County?

Answer. Yes, sir; in the city of Tallahassee.

Question. How many clubs were there in that county?

Answer. I am satisfied there were two, one in Tallahassee, and one at a place called Centerville; if there were more I did not know it.

Question. I see it is provided in this constitution that "There shall be an executive committee, consisting of five discreet, active, energetic members." What was the duty of that committee?

Answer. I am not able to tell; I knew nothing about the committees; I never belonged to any committee. I was not an officer of the club at all; and I am not able to tell you the duty of the committee.

Question. Section six of this constitution provides that "the president, vice-presidents, and executive committee shall constitute a committee of observation and safety,

of which the president shall be chairman." Do you know the duties of that committee?

Answer. As I understand it, the duty of the committee of safety was to inquire and ascertain the names of such persons as were inducing or exciting strife and collision, and to report them, so that they might be admonished to desist. I think that was the object of the safety committee.

Question. There were persons in your community that were exciting disturbances, then?

Answer. It was thought so, from the public speeches of an inflammatory character which were made in public in the city.

Question. Do you recollect any persons who made such speeches?

Answer. I think Mr. Purman was one. I think there was some colored persons, one of whom has now left the State and resides in Baltimore. He was a member of the constitutional convention—a very clever and intelligent man; his name I do not now call to mind. He was another who was in the habit of addressing those persons who came in there armed in large bodies, a thousand at a time. You must understand that in the county of Leon there are five or six colored persons to one white. I think there are from six to seven colored males to one white male.

Question. You say they addressed those colored men. What did they say to them?

Answer. I cannot tell you what they did say; I can only give the general character of their speeches, which was to excite them and to array them in a hostile attitude to their former owners, as they called them.

Question. How in a hostile attitude; an attitude of violence?

Answer. I do not know that I can very clearly state.

Question. Do you mean personal hostility, or political hostility?

Answer. I think it was both social and political. The object of these speeches, so far as I could understand them, (I did not hear many of them; I would occasionally hear some of them,) was to create and engender a feeling of hostility between the two races.

Question. There could be no social hostility between the two races?

Answer. Yes, I think there might be social hostility. I think that where bad blood is engendered and kept alive between two persons it is social hostility.

Question. That is the sense in which you use the word?

Answer. Yes, sir. If a number of persons, living in the same section of the county with myself, are arrayed in bad blood against me, that is social hostility.

Question. Section seven of this constitution provides that "All matters pertaining to such service shall be referred to this committee of observation and safety, and the names and duties of the secret service committee shall be known only to the said committee and their various chiefs." What was this secret service committee?

Answer. I have already stated that I supposed the secret service was this: to ascertain the names of persons who were inciting to bad blood between the two races, and to report them to the club, so that the club might appoint persons to admonish them to discontinue.

Question. How to admonish?

Answer. I do not understand but one way to admonish, and that is by conversation.

Question. It did not require a club to do that; you, as a citizen, could do that; if you thought a man was pursuing an improper course you could go and admonish him.

Answer. Unquestionably I might do that, but I might not feel that it was my especial duty; but if I had been appointed by the club to do it I would feel it my duty to do so.

Question. Suppose they did not desist, but continued to pursue their course?

Answer. Then, if they pursued such a course as would bring them within the law, report them to the officers of the law.

Question. Suppose they limited themselves to making political speeches?

Answer. Then we could do nothing else. So far as I understand, there was never any intention on the part of members to commit violence upon them.

Question. Then, so far as you know, it was not contemplated, if they did not desist, to require them to leave the community?

Answer. I never should have taken such a course or sanctioned such a course.

Question. You did not understand that it went that far?

Answer. I did not, and would not have sanctioned anything of the sort.

Question. Section 25 of this constitution provides that "When a ten is assembled for any purpose its leader shall preside and command." What is meant there by the word "command?"

Answer. I do not know; I never assembled with any ten.

Question. It also goes on to provide that "When a section is assembled the chief thereof shall command; and when the whole organization is assembled the central chief shall preside and command." What does that mean?

Answer. I suppose the term "whole organization" there, means more than one club.

Question. What is meant by the word "command;" that is a military term, is it not?

Answer. Yes, sir.

Question. That relates to the semi-military character of the organization?

Answer. I suppose so.

Question. Are you acquainted with a gentleman by the name of Long—Judge Long?

Answer. Thomas Long?

Question. Yes, Thomas T. Long.

Answer. I have known him twenty-five years.

Question. What is his character?

Answer. Would you pardon me for not answering that question? I will do anything that it is my duty to do.

Question. It is your duty to answer that question.

Answer. Then I must do my duty. Judge Long is a very singular man in some respects, a man of great vanity, of some ability as a tactician and as a partisan. As an evidence of that, I will say that Judge Long was able on one occasion to obtain a nomination from the governor as judge of the circuit in which he lived; the senate refused to confirm his nomination. The constitution was shortly afterward changed, so as to make the judges elective by the people, and Judge Long was elected by a very large majority. That is one evidence of his tact and talent in the management of men. I think he is a reckless man in money matters, and would not hesitate to incur obligations whether he was able to discharge them or not. I know no act of Judge Long's that would—

Question. What are his morals?

Answer. A man's morals is sometimes a matter of taste.

Question. I am asking you about his character?

Answer. His morals are not such as would be to my taste, and yet Judge Long is tolerated and countenanced by a great many very good persons.

Question. Have you had many of these people that are called carpet-baggers in your country?

Answer. We have had a great many of them.

Question. What do you think of them as a class?

Answer. Well, sir, as a class, I do not think they are men who add to the prosperity or the reputation of the country.

Question. Have you ever had occasion, in a public speech to the people of your neighborhood, to express your opinion of them?

Answer. I have made but one public speech since the surrender.

Question. When was that?

Answer. That was a speech I made in public, to the colored people of the county of Leon, at their request, and I think that was in the fall of 1866. The colored people of Leon County had a meeting, and appointed a committee to wait on myself and Judge Westcott, and request us to address them.

Question. Did you make a speech in the democratic club?

Answer. I think it very likely I did.

Question. Did you urge them there to receive the carpet-baggers at the dagger's point, or on the point of the steel?

Answer. I never did any such thing.

Question. Do you recollect a man of the name of Lee Powell?

Answer. I know such a man.

Question. Do you recollect his making any remark to you after you had been speaking, saying that the old men had given him such advice before, and then left them to do the fighting?

Answer. I do not recollect. With your permission, I will say that I made this speech to the colored people at their request; they wanted advice as to what they should do. As I have a copy of the speech which was published, I would be very glad to let you have it, if it would be of any service.

Question. We would be very glad to have a copy of it.

Answer. You can see there my feelings toward the colored people; it will give you some idea of my feelings. [No copy of the speech was furnished to the committee.]

Question. You do not recollect using this strong language in reference to carpet-baggers?

Answer. I never advised any violence toward any one; it is no recollection at all; it is a matter of certainty; I never advised or recommended any man to use violence to any one.

Question. How many members were there in this democratic club, so far as you know?

Answer. I think that in the county of Leon they might have numbered four hundred or five hundred.

By Mr. BAYARD:

Question. What offices have you held?

Answer. I have been a judge of the United States court, when I was twenty-seven years old, appointed by President Tyler, upon the recommendation of Daniel Webster, and Ben. Watkins Lee of Virginia. I will tell you why I was sent here: at that time

there was a worse feud raging here in the State of Florida than ever at any other time; there was more bloodshed and violence than I ever wish to see again. It grew up between the democratic and whig parties, and led to the assassination of General Lee Reed in the streets of Tallahassee, by a man of the name of Willis Alston; Alston belonged to the whig party and Reed belonged to the democratic party, and they were both turbulent, violent men. At that time it was a very common thing for a man to shoot another in Tallahassee, and almost anywhere else in Florida. Florida was then a Territory; and the judge of that district, the middle district of Florida, a gentleman from Tennessee, ran away from the State. Instead of discharging his duty, arresting and bringing him to punishment, he got out of the back window of the hotel when there was a mob in front of it, and left the State and went to Tennessee. He was told by Mr. Webster that he must resign, and he did resign. Mr. Lee, of Virginia, was then in the city of Washington; he was an intimate friend of Webster. At one time Webster said to Lee, "Can you tell me where I can get, in the State of Virginia, not an old man, but an energetic man, with nerve enough to execute the laws in Florida, and with knowledge enough to know the laws?" Mr. Lee said, "I can tell you at once; do you recollect the young man who dined at my house?" Mr. Webster said, "I recollect him." He went at once to President Tyler, and the President sent me my commission. I came to Florida, and I had a most admirable marshal, Major Camp, of Sandusky, Ohio. In less than twelve months there was as much peace and order in Florida as in any county in Massachusetts.

Question. After that time, did you continue to hold office?

Answer. I remained on the bench until Florida came into the Union, when, of course, Florida coming in as a democratic State, President Polk being a democrat and I being a whig, I was left off the bench; I went back to my profession and practiced law until August, 1849, when President Taylor appointed me collector of customs at Key West. I went to Key West and remained there until Mr. Pierce came into power as President and removed me and appointed another gentleman. I returned to my profession, and was appointed proctor for the New York, Boston, South Carolina, New Orleans, and Liverpool Underwriters' Association, and the London underwriters. I remained as proctor until just before the breaking out of the war. I opposed secession; used all my efforts to prevent it; thought it was a wicked heresy; but after it came, and Virginia, my native State, and Florida, the State of my adoption, had seceded, I had to co-operate with the government we had, or separate myself from my friends or go among strangers. I preferred to remain with my people to separating myself from all those with whom I had been raised. I went to Virginia, where I remained until I was appointed one of the military judges at Mobile; I remained there until the close of the war. I then came to Florida and acted as secretary of state for Judge Marvin, who was appointed by Mr. Johnson provisional governor of Florida. I assisted him in reorganizing the State, and at the close of that time I was offered a seat upon the supreme court bench, and remained there until the adoption of the constitutional amendment, which disfranchised me. Since that time I have been practicing law. My disabilities have been removed by special act of Congress.

By the CHAIRMAN:

Question. You went into the rebellion with your eyes open, knowing and believing it to be wrong?

Answer. If you call it going into the rebellion, remaining with the people where I was located, after I had done all I could to arrest it, when I had strenuously urged our people not to go into it, telling them that there was no occasion for it, if you call that going into it, then I went into it.

By Mr. BAYARD:

Question. You have said nothing about going into the rebellion with your eyes open?

Answer. No, sir; I never meant to say any such thing. There are abundant living witnesses who know the course I took with regard to secession. That I may stand fairly before this committee and the world upon this subject, I will say that there are abundant living witnesses who know full well that I denounced secession, that I declared it a heresy, and that there was no such thing as peaceable secession; that there was no such thing as constitutional secession, as they claimed; that there was no government ever yet organized providing for its demise in the same instrument that formed it.

By the CHAIRMAN:

Question. They proved too strong for you, and, in a word, you succumbed?

Answer. What proved too strong?

Question. Secession.

Answer. Yes, sir; of course I would have done the same if I had been in Spain or in any other monarchical country. I understand the duties of a man to be to remain under the government.

Question. I am not calling in question whether you acted wisely or unwisely; I am only asking as to the fact.

Answer. I have just taken the trouble to explain that matter. You used the expression that I went into the rebellion with my eyes open.

Question. Well, you succumbed to it, knowing and believing it was wrong?

Answer. I succumbed to it because I could not help myself; and I believe there are very few men but what would have done the same.

Question. Knowing at the same time it was wrong?

Answer. I knew it was wrong.

By Mr. BAYARD:

Question. You have been asked about the democratic club which you said was organized; I do not ask you to repeat all the reasons for that organization. The facts, as I understand, are that the negroes outnumbered the whites in that county some six or seven to one?

Answer. That is so.

Question. Were you not aware that there were secret political organizations among the blacks?

Answer. We knew that fact; it was not denied; it was called the Loyal League; no one knew what the object of it was.

Question. It was a secret oath-bound organization?

Answer. Yes, sir.

Question. Did you not know that that organization extended throughout the entire State?

Answer. I was satisfied of the fact.

Question. Did you not know that the negroes were moving about in very large bodies, armed and organized?

Answer. I saw it every day of my life.

Question. As many as a thousand black men at a time would come into the town of Tallahassee?

Answer. I have seen that repeatedly.

Question. That was the condition of affairs in which you found yourself, without any counter organization of any sort?

Answer. That is so.

Question. You say that these people at that time were also excited and inflamed by incendiary addresses?

Answer. That is my decided impression.

Question. Addresses made to them by the people you call carpet-baggers?

Answer. I think so.

Question. Describe what you really mean by carpet-bagger.

Answer. I mean a man who comes among us without means of support, without any intention of becoming a useful, able citizen, and identifying himself with the country, but merely to pick up what he can get.

Question. A political adventurer?

Answer. A political adventurer.

Question. Did you find those people seizing hold of the black vote?

Answer. I did; their object, both in their speeches and in social intercourse with them, was for that purpose.

Question. Did they, by their counsel and by their addresses, tend to create ill-feeling between the white people and the colored people of Florida?

Answer. That is what I believe.

Question. Did that make you feel additional danger?

Answer. Not only that, but we felt that our situation was very insecure; that at any moment we were liable to an outbreak that might destroy our whole number.

Question. Your organization was for self-defense and the preservation of order?

Answer. I have so said.

Question. I observe in the constitution which has been shown you here, a provision in respect to some secret-service committee. Was there in your organization any obligation imposed upon members to commit any act in violation of any law of the State of Florida, or of the United States?

Answer. I certainly never would have taken it if I had supposed so.

Question. It was an organization entirely lawful in its character, and within the law in every respect?

Answer. So far as I knew it I believe it was.

Question. Would you not have known if anything of an illegal character had been attached to the order?

Answer. I am sure I would; I will add further, that if any member of that association had committed violence under any supposed obligation resting upon him by virtue of his being a member, I think it would have been known to me. I will say solemnly, that no such thing ever took place.

Question. There was nothing of that kind contemplated by the organization?

Answer. No, sir.

Question. As you found the excitement in the minds of the colored people subsided, the necessity for the organization passed away, and it was abandoned about eighteen months ago?

Answer. Yes, sir, upon my suggestion. Not only had the necessity passed away, but they had taken into the organization some young men, and I feared, and so said to better and older men than myself, that some of these men might misconstrue the object of the association, and ultimately get us into trouble. I therefore moved that we break it up, and they ceased to assemble, and there have been no meetings, within my knowledge, within the last eighteen months.

Question. You are a practicing lawyer?

Answer. I am.

Question. Do you believe that before your juries a man poor or otherwise, of any race or of any tone of politics, would be equally likely to obtain justice?

Answer. I can say with the most perfect confidence, and with all the solemnity that could attach to my oath, that I have never seen justice more impartially administered to any race of men than it has been to the colored men since the organization of our present government. There are two courts in the State which have criminal jurisdiction; one is the circuit court, which has jurisdiction of felonies; the other is the county court, which has jurisdiction of misdemeanors. I practice in both of those courts. There are abundant men here who will testify that probably I do more of the practice for the colored people than any man in the State. I can say that since 1868—since the organization of the government—I think I have defended over a hundred colored people, and I have not received for my services \$50. I do it without reward; they come to me, and I give them my services. I am not alone in that; there are other lawyers who do the same. During that time I have never seen a jury of white men exclusively; there are always some colored men on the jury. I have heard some men say, since I have been here, that they have seen white juries; I have never seen a white jury since that time. Colored people have fair trials, and I think there is a disposition on the part of the juries, especially of the white jurors, to treat with remarkable leniency all their shortcomings. In defending a colored man, I would as soon have a jury of intelligent white men, former slaveholders, as of black men; I would feel as confident of having justice done him. If I was satisfied in my own mind, after examining the testimony, that it was a case that should be acquitted, I would rather have a white jury than a colored jury. I will give an instance of a trial of what we are told is one of the most obnoxious men. He is not obnoxious to me, for our relations are very amiable, and I like him very much. In the case of Mr. Pearce, a State senator, I think a large portion of the grand jury, if not a majority of them, that indicted him were black men. There were two indictments against him.

Question. For what?

Answer. For offering a bribe to a State senator or a State representative in the matter of the impeachment of Governor Reed, a matter then before the legislature. Bishop Pearce, as we call him, is a minister of the gospel, and was indicted on two separate indictments, both for the same crime, but for different offenses. The first jury that tried him was a jury of six white persons and six colored persons. That jury convicted him; I will not say whether they convicted him rightfully or wrongfully, because it has always been in my mind a matter of very grave doubt, if I had been upon that jury, whether I would have voted for his conviction upon that testimony. But he was convicted; I do not say whether the judge or the jury acted right. He took an appeal in that case, and it is still pending in the supreme court. The next jury that tried him, at the last May term, was a jury composed of seven colored persons and five white persons. That was a hung jury; of course, I can only tell what I heard, but I understood that the jury stood nine for conviction, and three for acquittal; any way, it was a hung jury, and there were seven colored persons and five white persons on that jury. The first jury was six and six, equally divided.

Question. You mean by that that in your courts there is no discrimination against colored people?

Answer. As I stated before, when a colored person is brought in who has no counsel, (and it is the rarest circumstance that one in fifty employs counsel, and now they do not pretend to employ counsel, because the course pursued by our courts gives them the best counsel,) they are brought into court—all those who are not out on bond—and they take their seats, and the whole bar is called, and they are asked who they will have to defend them, and they select their own counsel. I will say for the bar that, so far as I know, that counsel gives them his very best efforts; I know that I do. I try their cases with as much earnestness and zeal as if I were getting thousands for my fees.

Question. In your present condition, do you find that your elections are conducted fairly; do you believe they are conducted fairly?

Answer. What elections?

Question. Your State elections.

Answer. I do not hear any complaint about the last election.

Question. Elections for members of Congress, or for members of the legislature, or for governor?

Answer. There is a matter which I will bring to the attention of the committee, and it is this: At the last election, there were nine counties of the State whose returns were not canvassed by the board of State canvassers.

Question. Of whom did the board consist?

Answer. Of the attorney general, the comptroller, and the secretary of state. There were nine counties not canvassed; the returns from the counties that were canvassed gave the election to the republican candidate for member of Congress.

Question. What was the vote of the nine counties which were rejected?

Answer. It is alleged that the vote of those counties would have given the election to the democratic candidate, Mr. Niblack.

Question. Upon what ground did they undertake to throw that vote out?

Answer. As I understand it, they refused to canvass those nine counties on two grounds; one was, that some of the returns were informal; another was, that the returns had not been received in time. I was employed, together with other counsel, to apply for a mandamus to the supreme court of the State, to compel the board of canvassers to canvass those counties. I need not say to a lawyer that a board of canvassers have no right to decide upon the legality of the returns, for that is a matter for the body to which the party is elected to investigate. The courts of Massachusetts, New York, Pennsylvania, Illinois, Indiana, Ohio, and perhaps some other States, have all decided that express point. Under the law, I took the ground that the act of the legislature requiring the board of canvassers to convene on a certain day, and to proceed to make the canvass, for that was the language of the law, did not relieve them from the obligation of counting all the votes from all the counties. This is a large State—some of the counties cannot make returns for a long time. The law did not justify the board of canvassers in excluding from the canvass those counties whose returns came in after a day named, for it was their duty to canvass all the returns that came in at any time before their final decision. The supreme court sustained me on both points. During the pendency of the question before the supreme court, and the very day it was supposed the supreme court would make their decision, there was passed through the legislature an act abolishing that board of canvassers, so that the mandamus, when granted, had nothing to operate upon. Here were parties who were entitled to the benefit of the laws, as expounded by the supreme court, yet they were deprived of that benefit because the legislature in a hurried manner passed a law, while the matter was still in the hands of the court, abolishing the board of canvassers.

Question. Did the seats of some of the members who voted for that law depend upon that hasty action?

Answer. I do not know that those voted for it, but I think many got their seats in consequence of that, because those entitled to seats did not get the returns under that canvass. For fear I may be misunderstood, I will say that I am not a democrat; I do not belong to the democratic party or to the republican party. After the whig party died out, I belonged to no party, and I never expect to belong to any other party.

Question. That makes you rather more competent as a witness to speak upon party matters?

Answer. I know I feel no preference, one way or the other.

Question. There has been a great deal of evidence before this committee tending to show the existence of a great deal of violence in this State, chiefly in Jackson County; it shows that a great many homicides have occurred there, the causes of which the witnesses differ about. I will ask you whether the administration of criminal justice in this State has or has not been greatly impeded by the appointment of indifferent and incompetent men to office?

Answer. I think so; that is my decided impression.

Question. Do you believe that, with an efficient and able and honest corps of State officials, the safety of life and property in this State could be reasonably secure?

Answer. I believe that, with proper judges—judges of proper ability and firmness, and with proper officers to back them—the administration of law in the State of Florida could be as fair and efficient as it could be in Massachusetts, Connecticut, Virginia, or in any other State.

Question. Do you believe that any inefficiency that may exist in regard to that is caused by the want of such proper officers?

Answer. I think so; that is my decided impression. The best officers in the world could not, probably, sometimes prevent these murders, because they are done secretly. But I believe, with the proper judges, and with proper officers, where the criminal is ever arrested and brought before them, he can be punished. Men commit assassinations in the night-time and in the day-time, and nobody can help it.

Question. Has it been a matter of soreness with what is called here the home people

of Florida, that the affairs of their State government should be placed so entirely in the hands of new-comers and strangers to them?

Answer. Unquestionably it has been a source of great annoyance and sorrow to them.

Question. Then for these acts of violence and this disorder, be it much or little, in the State, can the home people, the white people of Florida, who own its real estate, who own its property and pay its taxes, be justly held responsible when they are not in power?

Answer. I think not. I want to say this much, that I may not be misunderstood: There are men who have come here since the war; some came with the Army, who are good men. I do not wish to include all; I do not wish to be understood that my objection to them is so sweeping. I say there are some good men who have come among us—men who have behaved themselves as good citizens. And where those men are to be found in the State of Florida, I undertake to say to-day that not a gentleman in the State of Florida but will give him his hand and his confidence, and assist him.

By the CHAIRMAN:

Question. They do not mix in politics?

Answer. Yes, sir; they are as firm republicans as any in the State. We do not turn our backs upon a man because he is a republican.

By Mr. BAYARD:

Question. They are men who take an interest in the State?

Answer. Yes, sir; and desire its prosperity.

Question. Are such men always welcome here?

Answer. Yes, sir; and always treated with kindness. There is one sitting over there, [pointing to Mr. Conant,] who is now the marshal of this district. I have no objection to his hearing what I have to say. He knows that some of the best friends he has in this State are among the old citizens.

By the CHAIRMAN:

Question. They think he deserves it?

Answer. I think so. If he did not, I would not give him my friendship. There is another thing I would like to speak of, and that is the present condition of our finances. There is a deplorable condition of affairs in our State, a wasteful expenditure of public money, a reckless disregard of the interest of the State in creating obligations, that has grown out of the administration of the government under its head; I have no hesitation in saying so. There are men in the State, men of the republican party, who have been opposed to it; Colonel Osborn is one of them. As I understand from conversation with him and some of his friends, he has been opposed to it, but he has not the power to arrest it. Our taxation has gone up gradually from \$120,000 at the outside to \$460,000. The indebtedness of the State has increased from about \$700,000 to between \$8,000,000 and \$9,000,000, including bonds authorized to be issued. The credit of the State of Florida to-day is utterly worthless and prostrate. The ordinary officials here are being paid in scrip that they cannot sell to-day in the market for more than 33 cents on the dollar. Such a state of things as that must demoralize and utterly destroy the character of the State. If there is not some means found to restore the credit of the State, and to prevent this wasteful and ruinous expenditure of the public money, the taxation will have to go on increasing, and the property in the State will change hands once in every ten years; a man who has property to-day will have all his property eaten up by taxes in ten years. There is very little productive capital in this State. There is a vast deal of land in the State, but men who own several thousand acres of land only have need to cultivate a few hundred acres; they cannot sell their lands, because nobody will buy them, and come into a State where the taxes are so high as they are here. They have that land on their hands, and cannot get rid of it; they cannot sell it for what it is worth, and they cannot make enough to pay their taxes on it.

By Mr. BAYARD:

Question. Is not that scrip convertible into bonds?

Answer. Yes, sir.

Question. The bonds bear what interest?

Answer. I think 7 or 8 per cent., but you cannot sell those bonds; nobody wants them.

Question. Do you know the history of the sale of some of your gold-bearing bonds?

Answer. No, sir; I am not acquainted with them.

Question. Do you know how much they brought your treasury?

Answer. No, sir; they have not brought anything into the treasury that I know of. There were \$3,000,000 of bonds issued for railroad purposes; I understand that those bonds sold for between 50 and 80 cents on the dollar, but I do not know who sold them. I only know that much from an exhibit made in a chancery suit in New York. The money received from the sale of those bonds has been squandered, or a large

amount of it, in matters utterly disconnected with the object for which the loan was made. That is to say, the bonds were authorized to be issued only for the purpose of building a railroad, and the money has been applied to other purposes, and never will be applied to the building of the road. At the time those bonds were about to be issued, Governor Reed gave his promise that they should be issued upon the condition that the previous owners of the road should mortgage the road to the State; that the State should give the bonds to be sold. That road at that time owed about \$400,000 of a prior mortgage. Governor Reed gave this assurance, and I have seen the letter to a gentleman who held, as an attorney, a large amount of those bonds to collect, that he would not issue these \$3,000,000 of bonds until that prior mortgage was paid off. The very next day Governor Reed issued the bonds.

Question. Who was the party who took these bonds to New York, and to whom were they delivered?

Answer. I think they were delivered to Littlefield.

Question. The president of the road?

Answer. Yes, sir.

Question. The same man who figured before in North Carolina?

Answer. The same man.

Question. What broker in New York sold them?

Answer. A man by the name of Hopkins.

Question. You read an article in a paper in regard to this matter?

Answer. I did.

Question. Do you believe it to be true?

Answer. I think it is all true.

By the CHAIRMAN:

Question. Judge Long tells us it is not true.

Answer. I cannot help what Judge Long tells; I only give my opinion.

Question. Do you speak from knowledge or information?

Answer. I have no knowledge, except that I get from others; not from the Floridian, but from other persons with whom I talked.

By Mr. BAYARD:

Question. You got it from persons who were qualified to speak?

Answer. From business men in the city of Tallahassee.

By the CHAIRMAN:

Question. Have you ever been a democrat?

Answer. No, sir; I never gave a democratic vote in my life until since the surrender, and not many since.

JACKSONVILLE, FLORIDA, November 14, 1871.

HOMER BRYANT (colored) sworn and examined.

By the CHAIRMAN:

Question. State your age, where you were born, and where you now live.

Answer. I am about fifty-eight years old; I was born in North Carolina, and I now live in Jackson County, Florida.

Question. Are you living there now?

Answer. Yes, sir.

Question. How long have you been living there?

Answer. I have been living there for ten years now; but I have been in Florida for twenty years.

Question. Have you any people in your county that they call Ku-Klux?

Answer. They say there are some there.

Question. Have you ever had any notice served on you?

Answer. By them?

Question. Yes.

Answer. Well, they have told me they were going to kill me some day. I do not know whether they are Ku-Klux.

Question. What were they going to kill you for?

Answer. They said I was a great politician, and did a great deal in elections. I asked them who were going to kill me.

Question. What did they say?

Answer. They said the republicans would kill me.

Question. Were those republicans who were talking with you?

Answer. No, sir.

Question. Were you on the republican or the democratic side?

Answer. I am on the republican side.

Question. They told you the republicans were going to kill you?

Answer. They said the republicans would kill me in order that the republican party might say, "They have killed Homer Bryant, a good man."

Question. Did they charge that other republicans had been killed for that purpose?

Answer. They did not tell me so. There have been a great many killed.

Question. How many men have been murdered or whipped in your county in the last few years?

Answer. Actually I really could not tell. I know there have been sixty or seventy-five. I would say as many as that, certain.

Question. Did you know Mr. Dickinson?

Answer. Yes, sir.

Question. It has been said that he was killed by a man of the name of Bryant, because he had been too intimate with a colored woman.

Answer. I knew Mr. Dickinson and I know the Bryant they said killed him. I know Bryant did not kill him; neither was Bryant's wife there. The father of this Bryant they said did that is my uncle; his wife lived near me, and I lived thirteen miles from Marianna. The majority of the conservative party themselves do not believe that he killed him, but it is very evident they believe he does know who killed him; that he helped rig a plan to kill him, but he himself did not kill him.

Question. You think Bryant knew who killed Dickinson?

Answer. Yes, sir; because he was the one that searched Dickinson's house the same night for me when he knew Dickinson was up in his office. I staid with Captain Dickinson for a long time; he was a good man, and a straight, upright man. He would not tell anybody, friend or foe, to do anything that was wrong.

Question. What is the condition of the colored people there in your county?

Answer. Well, sir, some of them are getting along tolerably well, others aint.

Question. What chance has a man in that county, do you think, to be a republican and to vote the republican ticket?

Answer. He has a poor show, when you come to that point.

Question. Do you think he would be prevented?

Answer. He would have to go away; he would be kept from the polls by some means or other.

Question. Do you know anything about the killing of a man by the name of Fleischman?

Answer. Yes, sir.

Question. Do you know who killed him?

Answer. No, sir, I do not.

Question. Why did they kill him?

Answer. It is supposed for his political influence.

Question. Do you know anything about the killing of Dr. Finlayson?

Answer. Yes, sir, I knew him.

Question. What did they kill him for?

Answer. Because he was a republican, so far as I know.

Question. Do you recollect about their firing into a colored picnic a year or two ago?

Answer. Yes, sir. I knew the man they killed and the baby he had in his arms.

Question. Who was he?

Answer. Wyatt Schuyler.

Question. What sort of man was he?

Answer. I have never heard anything against him.

Question. Was anybody ever punished for that?

Answer. Not that I know of.

Question. How do the people there look upon these folks they call carpet-baggers?

Answer. They look upon them so they cannot live there.

Question. Have you heard any threats made about them?

Answer. They say they have got shut of them, and that they intend to stay shut of them; that they don't want any in that country.

Question. You have had several of your colored people there who have taken an active part in politics?

Answer. Yes, sir.

Question. Are the people there opposed to them?

Answer. They treated me pretty severely, nothing more than just threatened me; they told me that I would be killed. I asked what for; and they said I was electioneering. I told them that I never abused any party; I never said the conservative people was the meanest people there were, but I told my people not to vote for them. I thought it was every man's business to vote for the party where his interest was. If they thought the republican party was not to their interest, then they should not vote for it. If they thought the conservative party was to their interest, then they might vote for them; every man ought to vote according to his interest.

Question. They are not willing to allow you to say that?

Answer. No, sir; you cannot do that much.

Question. To whom do your people look for protection of their rights?

Answer. They have thought if they got any it would be from the republican party, but they thought they had been very much neglected, so that they have got pretty much down now.

By Mr. BAYARD:

Question. How do you know that that man Bryant was mixed up in the Dickinson affair?

Answer. Because he was there, and went to Captain Dickinson's house that night.

Question. You think he knew all about it?

Answer. Yes, sir.

Question. What did he do when he got into Captain Dickinson's house?

Answer. He went there, took a lamp off the table, turned the light half down, went into the bed-room, searched it, and looked all under the bed.

Question. What did he do that for?

Answer. I suppose it was for me, because it was thought I and Dickinson would be killed that night.

Question. What relation is that man to you?

Answer. My uncle's son.

Question. Is he a colored man?

Answer. Yes, sir.

Question. What has become of him?

Answer. He is now in Alabama.

Question. What was his motive in killing Dickinson, and seeking to kill you?

Answer. I think he was hired to do it; I do not know it.

Question. Do you think he was the man who shot him?

Answer. No, sir.

Question. You think he was concerned with the man who shot him?

Answer. He was concerned in it. After he had got done looking through the house, he came out to the gate, and made a loud whistle, which was some sign.

Question. Was any of Captain Dickinson's property taken?

Answer. I did not see this myself, but they told me—

Question. Say what you believe.

Answer. I believe he was given a registered letter to carry to the postmistress there; he carried it, and for some reason it lacked something, so that she would not receive it, but told him to carry it back and have it fixed right. He said he carried it back to Captain Dickinson's table, and laid it on the table; as soon as Captain Dickinson was killed he left the dead body and went back, and said he had left a letter there which he must get.

Question. Did he get it?

Answer. I do not know.

Question. Was there money in the letter?

Answer. Yes, sir.

Question. Was it supposed that he got it?

Answer. I don't know; but he had plenty of money after that.

Question. He did not have much before?

Answer. No, sir, he did not.

Question. Was any such letter sent?

Answer. No, sir.

Question. He has run off to Alabama?

Answer. He is in Alabama now.

By the CHAIRMAN:

Question. You say the intention was to kill you that night?

Answer. Yes, sir.

Question. You think he was trying to find you and kill you, or was he trying to put you on your guard?

Answer. He was trying to find me. I was at Greenwood the day after, and a white man came up to me and said, "Homer, are you alive?" I said, "Yes, I am alive." He said, "I thought they killed you and Dickinson both last night!"

Question. Who did kill Dickinson?

Answer. I do not know who did kill him.

Question. You know it was not Bryant?

Answer. It was not Bryant.

Question. Do you know who killed Fleischman or Finlayson?

Answer. No, sir.

Question. Do you know who shot Major Purman?

Answer. No, sir. It looks like they had something against Captain Dickinson for acting as my agent. I was tax collector, and I was taken down there sick and carried

off home in my wagon. If it had not been for that, I would have been right there. I sold a great deal of land, and, of course, all that I bought in for the State; he stood as myself, after that time, and he bought it in for the State, and I have made the deeds to the State.

Question. It was your duty to bid the land in for the State when there was nobody to buy it?

Answer. Yes, sir.

Question. And when you were sick you appointed Captain Dickinson to act as your agent and representative?

Answer. Yes, sir.

Question. And you made the deeds of all the lands so bought in to the State?

Answer. Yes, sir.

Question. The law is, that when people do not pay their taxes, and the property will not sell for as much as the taxes, the State should buy it in?

Answer. Yes, sir.

Question. It was because you were sick that he was acting for you?

Answer. Yes, sir.

JACKSONVILLE, FLORIDA, November 14, 1871.

H. BISBEE, JR., sworn and examined.

By the CHAIRMAN:

Question. Please state your age, where you were born, where you now reside, and what is your present official position.

Answer. I am thirty-two years old; I was born in the State of Maine; and I now reside in Jacksonville, Florida. I am an attorney-at-law, and I am at present district attorney for the United States for the northern district of Florida.

Question. Are you acquainted with Thomas T. Long, a State judge?

Answer. Yes, sir.

Question. Have you had occasion to investigate his conduct and character?

Answer. I have to some extent.

Question. What is it?

Answer. To what do you allude—his general conduct?

Question. Yes.

Answer. Well, I consider his conduct very bad.

Question. Does that extend to his official conduct as well as personal conduct?

Answer. Yes, sir.

Question. Specify some instance that leads you to say so.

Answer. Do you wish me to give instances that have come to my notice from actual investigation in the performance of my official duties?

Question. Certainly.

Answer. Some time last spring, in May or April, a United States detective of the name of Beach applied to Long at Lake City—Long at that time being United States commissioner—for a warrant for the arrest of two men, Cason and McDonald. This detective, Beach, reported to me that Long, upon one pretense and another, declined to issue the warrant; that he left him at his house, and went away and informed Cason and McDonald that a warrant had been applied for, and notified them to leave the place. My recollection is that Mr. Beach reported that he did not succeed in getting a warrant until some time afterward; I think not until the next morning.

Question. Have the men been arrested yet?

Answer. One of them, McDonald, came in afterward and surrendered himself; Cason has not been arrested.

Question. It has been stated before this committee that some widow lady applied to Long for advice and assistance about her husband's estate, and that he offered to make any order she might desire if she would submit to a dishonorable proposition that he made. Do you know anything about that?

Answer. I know nothing of my own personal knowledge; it is reported about town.

Question. Is it believed; does that enter into part of the man's character?

Answer. It is believed here in this community.

Question. What is the character of the lady?

Answer. I do not know her.

Question. How does she stand?

Answer. I do not know. Another instance in relation to Cason: Since that time Long has made an offer to bribe a person that he knew to be a material witness in the case against Cason; so the witness reports to me. He offered him the sum of \$500 to suppress his testimony or to leave the State; and he also attempted to intimidate him by conveying threats from Cason to him that he, Cason, would certainly kill him if he did not leave the State.

Question. From his character, would you deem him a credible witness?

Answer. In matters generally I would not place any confidence in what he stated at all. I think, if he was on oath, I should take what he said with very little weight indeed. He is not a man who is received with respect by any portion of the community, of any shade of politics.

By Mr. BAYARD :

Question. Has this been for some time this man's character?

Answer. It has been his reputation ever since I have been in the State.

Question. How long is that?

Answer. Seven years.

Question. It was generally understood among members of the bar that such was his character?

Answer. Yes, sir.

Question. It was known to people generally?

Answer. Yes, sir. I have known him since the fall of 1865, and that is the reputation he has borne ever since I have been here.

Question. How do you suppose it was that a man of such low character, of such tainted repute, should have been nominated by your governor and confirmed by the senate to such a place as judge over three or four counties?

Answer. It was done by the influence of money.

Question. You believe this man bought his nomination from the governor?

Answer. I can say this, that a prominent railroad man in this State told me in person that Long's nomination and confirmation cost him \$3,000.

Question. A railroad man?

Answer. Yes, sir.

Question. Who was that?

Answer. Milton S. Littlefield.

Question. That is the way in which your judicial offices are liable to be filled?

Answer. I consider it so under the present administration.

Question. You say the \$3,000 was paid by a railroad man?

Answer. So Mr. Littlefield said.

Question. He wanted to get this creature nominated and confirmed, and he did so by applying that money to the governor as well as to the senate?

Answer. He did not say to whom it was applied.

Question. His character was well known to the governor?

Answer. Yes, sir.

By the CHAIRMAN :

Question. Money has been sometimes given to men who are supposed to have influence and to be disinterested, to go and give very disinterested and very unsafe advice, has it not?

Answer. I suppose that may be done.

Question. Were you in the Army during the war?

Answer. A portion of the time.

Question. Were you ever in command of a post or a picket along the line?

Answer. Yes, sir.

Question. Did you ever have men who claimed to be Union men come to you and give you what appeared to be very disinterested advice as to what your course should be?

Answer. Yes, sir.

Question. And men you afterward knew were paid very large sums of money to get you to make such an order as they advised?

Answer. No instance of that kind occurred in my experience.

Question. You never knew a man to come and give you advice under the stimulus of pay?

Answer. Not to my knowledge. I was in the Army for about two years, most of the time in this department, and most of the time at Fernandina and Key West, in this State.

Question. You regard the appointment of Judge Long as very unwise and very unfortunate, and you regard him as a very unworthy man?

Answer. Exceedingly so.

Question. Is there a more infamous man in this community?

Answer. Not to my knowledge, nor in Florida. I will state further that I am reliably informed that his own brother has repeatedly announced that he would not believe him on oath.

JACKSONVILLE, FLORIDA, November 14, 1871.

ROBERT FORSON sworn and examined.

By the CHAIRMAN :

Question. State your age, where you were born, where you now live, and what is your present occupation.

Answer. If I live to see the 27th day of next August I will be twenty-four years old; I was born in Georgia, and I now live in Columbia County, Florida; I am a farmer.

Question. How long have you lived in Columbia County?

Answer. I cannot tell precisely how long, but I think it will be fifteen years the 10th day of next January.

Question. Have you any people there they call Ku-Klux?

Answer. We have. We have some there that call themselves Ku-Klux.

Question. State what you know about them.

Answer. I know that they came to my father's house where I was living, and took me out in the yard.

Question. When was that?

Answer. It was the night of the 2d of July, 1870.

Question. How many of them were there?

Answer. I cannot tell you precisely how many there were; I think there were about thirty.

Question. Had they any disguises on?

Answer. No, sir; I did not see any.

Question. Did you know any of them?

Answer. Yes, sir.

Question. Who were they? Give the names.

Answer. William Niblack, William Somers, Larkin Somers, Mr. Pregit, George Hancock, John William Niblack, James Taylor, Frederick Geer, James Cobb, John Kune, John Gumillion, Andrew Larkin, Joseph Talbot, Luther Snellgrove, Burt Sheely, Levi Haltermonger, Elhore Haltermonger, David Haltermonger, Ed. Collins, and Jeff. Callahan.

Question. What time in the night did they come to your house?

Answer. About 11 o'clock.

Question. You say they took you out; how did they get at you to get you out?

Answer. I had gone to bed and was asleep. I heard somebody hail at the gate. I had a brother at that time living in Suwannee County, near Live Oak, and he had written to us that he and his family were coming down to spend the 4th of July with us. I was looking for him every day; I knew it was a long ways from there to my brother's, and that it would take him into the night to get there. I heard some one hail at the gate, and I thought it was my brother. I got up in my night-clothes, with just my shirt and drawers on, and walked out to meet my brother as I thought. When I got out there, there was a man on horseback and I soon found that it was not my brother. There were two men concealed behind the post of the gate, and they caught hold of me and told me that I was their prisoner.

Question. Did they whip you?

Answer. Yes, sir.

Question. How many blows did they give you?

Answer. I cannot tell how many; I think about eighty as well as I can recollect.

Question. With what?

Answer. A leather strap.

Question. How far did they take you from the house?

Answer. About three-quarters of a mile, I think.

Question. Did they let you put your clothing on?

Answer. No, sir.

Question. They took you away in your night-clothes?

Answer. Yes, sir. I strove against them there at the gate, before they got me out of the yard. My sisters came out, it frightened them, and of course they held on to me to keep them from taking me away. They tore me loose from my sisters, and beat them and knocked them down. They fired a great many guns over their heads and in front of their faces. They carried me off and put me on a horse; it was a bay horse; I knew it. The horse pitched with me and they could not do anything with him, so they jerked me off that horse and hurt my hip very badly. I have not had good use of my hip since; it hurts me in walking. They put me on another horse behind a man, I do not know who he was, and then carried me about three-quarters of a mile. There they stopped with me, tied me to a tree, tied my hands around it, and there whipped me.

Question. Did they whip you upon the bare flesh?

Answer. Yes, sir. I strove until they tore my shirt off me; I then had nothing on but my drawers, and they unbuttoned them and stripped them down.

Question. Have you any idea what they had against you that they should beat you in this way?

Answer. I do not know that they had anything at all.

Question. Did they allege any cause?

Answer. They gave me my orders to leave the country in thirty-seven hours. I told them there was one request I had to make of them before I left—that I wanted them to tell me what they had done this for, and what I had to leave my country for. They then told me that it was for associating with the negroes.

Question. Had there been anything in your conduct to which they had reference; had you been engaged with the negroes in any way?

Answer. I had not.

Question. Had you been engaged in teaching a colored school, or anything of that sort?

Answer. No, sir; for I have no education.

Question. What had been your political associations?

Answer. I had not had any at all.

Question. You had not voted?

Answer. No, sir.

Question. You had taken no part in politics?

Answer. No, sir.

Question. Have you tried to prosecute them?

Answer. Yes, sir; the State took it in hand.

Question. Have any of them been tried and punished?

Answer. They were tried.

Question. What was the result of the trial?

Answer. They proved themselves clear.

Question. How did they prove themselves clear?

Answer. Some of them had witnesses, and others got up and swore themselves that they were at home that night.

Question. Did they make any threats against you when you prosecuted them?

Answer. Yes, sir; one of them.

Question. What was it?

Answer. I was attending court; I was summoned by the State. One of them asked me what I was doing there, and I told him little or nothing. He asked me what I had then dragged up there for, paying out costs, and I told him I had not done it, and that I had had nothing to do with it; that I had not prosecuted any one of them. He told me that he would give me a piece of advice, and I might take it as a friend's advice, for me not to show myself out there another day, but to keep away from there and not appear against them.

Question. Did you appear against them?

Answer. Yes, sir.

Question. Did your sisters also appear?

Answer. Yes, sir; I appeared there the next day, and the day after that I staid at home, for I saw they were going to have a difficulty with me. Judge Bryson, I suppose it was, sent out an attachment for me and my sisters that day to come in, and we went in, and the trial came on that day.

Question. They had witnesses and proved that they were not there at all?

Answer. Some of them had.

Question. How did the rest get clear?

Answer. I think they boldly swore themselves clear, as well as I know. They told me that if I was not gone in thirty-seven hours they would come on me again.

By Mr. BAYARD:

Question. How long ago was this?

Answer. It was on the 2d day of July, 1870; that is, the night of the 2d of July.

JACKSONVILLE, FLORIDA, November 14, 1871.

LARRY WHITE (colored) sworn and examined.

By the CHAIRMAN:

Question. What is your age; where were you born, and where do you now live?

Answer. I reckon I am about forty; I was born in Georgia, and I now live in Jackson County, Florida.

Question. Do you live in Marianna?

Answer. About seven miles from there.

Question. Can you tell us whether there are any people in Jackson County that they call Ku-Klux?

Answer. Well, sir, for to know it myself, I don't know; but there is great talk of

them, and I can see a heap of sign of people that they say the Ku-Klux have been afool of.

Question. Did you ever hear anybody say they belonged to it?

Answer. No, sir.

Question. You say you saw a great deal of sign; what sign?

Answer. I have seen people killed, some run off, and some that were shot at; I take it it was done by Ku-Klux, but nobody would ever own it.

Question. How many do you suppose had been killed in that county?

Answer. It is out of my knowledge to tell how many; if I was to say a hundred or a hundred and fifty, I do not suppose I would tell a story. I have even forgot a great many of their names. I have seen as many as three lying dead in one pile.

Question. How do you stand on political questions?

Answer. I am all right; but you have asked the truth, and I will have to tell it. I had to deny voting to save myself. I said I would not do it anywhere; and after I said that, they seemed to excuse me, and said: "Old Larry is a good nigger, they should all do like him; that the damned carpet-baggers should not come in that country any more; that old Larry took the right track, and that is what cleared him."

Question. What induced you to do that?

Answer. Because when I went up to vote, I had to take two tickets to get mine in; I made believe that I was going to throw the other in until I threw the radical ticket in, and then I tore up the other. I saw so many stabbed and knocked down that day, and a great many shot at, that I thought I would take the easiest way I could.

Question. How many were there that were stabbed and shot at, and otherwise maltreated?

Answer. I recollect that there were one or two black men who were stabbed right in the thick part of the butt, and several were knocked over the head until the blood ran; how many, I cannot tell.

Question. What were the colored men doing?

Answer. Trying to get at the ballot-box.

Question. How is it when anybody commits a crime there; can he be punished?

Answer. It is according to who he is.

Question. What do you mean by that?

Answer. I mean whether he be a white man or a black man. If he is a white man, they don't punish him; but if he is a black man, they punish him.

Question. Is there any trouble in catching and punishing a black man?

Answer. No, sir; they always catch him; at least none of them get away.

Question. Does not the sheriff try to arrest white men too?

Answer. They will not let him.

Question. How do they prevent it?

Answer. They tell him that he shall not arrest a white man for a damned nigger. If he is an honest man he will quit his office and go home, and some other man will take it.

Question. Who do they mean when they talk about carpet-baggers?

Answer. It is the radical party, I think.

Question. Have those people who have been whipped, and killed, and driven out, generally belonged to the radical party?

Answer. Yes, sir; they are the ones.

Question. Have you heard of anybody killing a democrat, or taking a democrat out and whipping him?

Answer. No, sir; there has not been any whipped yet. I have noticed that; none of them have been hurt.

Question. Or run out of the country?

Answer. No, sir; I have noticed that.

Question. How long has it been since anybody was killed in your county?

Answer. I think not since they killed Captain Dickinson; I think he was the last man, right close by Marianna.

Question. How has it been in other parts of the county?

Answer. I have not known; I may have heard of some two or three touselings since, but not so many as there was.

Question. Do you recollect whether there were some two or three killed in other parts of the county, two or three years ago?

Answer. I do not know that any have been killed since Captain Dickinson, if it was near the time he was killed.

Question. Have you generally voted at all the elections?

Answer. I have voted in every one by being cunning. But this last winter they were fixing to run in on me, and I said one day that I never would vote the radical ticket again. They heard of it, and they told me the way I was doing was all right; not to vote for the damned carpet-baggers any more. They said they heard I was not going to do so, and I said I did say so. I am a blacksmith.

Question. Do you think a colored man would be safe to vote the radical ticket in that county now?

Answer. No, sir; he better not vote it any more; it is against our interest to do it any more, as long as a man wants his life, and I want to save myself as well as I can. He better have nothing to do with it, because if he does they will kill him certain; he will die sure.

Question. To whom do your people look to protect them?

Answer. We look to the government to protect us, but they are so slow to do it that we are all afraid to go back.

Question. What government; the government of Florida, or the Government of the United States?

Answer. The Government of the United States. The government of Florida is very shallow, we have no confidence in it.

Question. That has not given you much help?

Answer. We sent to the governor of Florida when they were killing us like dogs, but we never received any assistance from him.

Question. In what way do you think the Government of the United States can help you?

Answer. I do not know. I thought they could help us, may be through my ignorance I do not know.

Question. I would like to have your opinion.

Answer. It seems to me if I was governor all over the State, and the people were to get wrong in the State, I would send men right there and stop it.

Question. How do you think the United States Government could help you?

Answer. About the same way.

Question. You think they should send men there?

Answer. Yes, sir, and stop it, because we voted for them.

Question. What sort of men would you send, soldiers?

Answer. I would not care who they were so they stopped them from killing, soldiers or officers.

Question. Somebody to take hold of them?

Answer. Yes, sir, right along; if the black people would turn on the whites let the Government take right hold of them. I have never offered to kill any man and I do not want any man to kill me; I felt mighty lonesome, mighty dissatisfied when they were doing it.

Question. Have the black people shown any disposition to turn on the whites and kill them?

Answer. They never have, though they have tried to accuse the black people of it. Mr. McClellan was shot and his daughter was killed, and they laid that to the black people, but I have no such idea. A day or two before that Mr. McClellan had a fight with a white man, I do not know his name, and a night or two after that he was shot. He laid it to a black man there, a very smart man and a republican, and they never rested until they killed him.

Question. You believe McClellan was shot and his daughter killed by this white man he had a difficulty with?

Answer. I do.

Question. Is that the opinion of the colored people generally?

Answer. Yes, sir, every one has that opinion.

Question. That he was trying to kill McClellan, and made a mis-shot and killed his daughter?

Answer. Yes sir.

MISCELLANEOUS DOCUMENTS.

STATE OF ARKANSAS, EXECUTIVE DEPARTMENT,
Little Rock, December 4, 1871.

SIR: In reply to inquiries made in your communication of the 24th ultimo, I beg leave to submit the following, with accompanying documents:

First. "Whether the question of State aid to railroads was submitted to the people; and if so, when, and with what result."

The question was submitted to the people in compliance with section 12 of "An act to aid in the construction of railroads," approved July 21, 1868, with the following result: For railroads, 25,613; against railroads, 4,402. (See report of secretary of state.)

Second. "What security the State has for her loans or indorsement to railroad companies."

I refer you to sections 7 and 8 of the act above referred to.

Third. "What is the condition of the roads, length of lines finished, and length in course of construction, with actual or estimated value thereof, as nearly as practicable, and whether work is suspended on the railroads, or any of them; and if so, for what reasons."

A reply to these questions necessarily involves a condensed history of our railroad enterprises to which State aid has been awarded by the board of commissioners. It is as follows:

The railroad companies having received the award of aid in pursuance of said act to aid in the construction of railroads are—

| | | |
|---|------------------------------------|---------------------|
| Memphis and Little Rock..... | 120 miles, \$10,000 per mile | \$1, 200, 000 |
| Little Rock and Fort Smith..... | 150 miles, 10,000 per mile | 1, 500, 000 |
| Little Rock, Pine Bluff and New Orleans | 160 miles, 15,000 per mile | 2, 400, 000 |
| Mississippi, Ouachita and Red River.... | 170 miles, 15,000 per mile | 2, 550, 000 |
| Arkansas Central and Pine Bluff branch | 150 miles, 15,000 per mile | 2, 250, 000 |
| | 100 miles, 15,000 per mile | 1, 500, 000 |
| | <u>850</u> | <u>11, 400, 000</u> |

The papers and documents have been filed as required by section 5, and bonds have been issued in compliance with section 6 of said act, as follows:

| | | |
|--|-----------------|--------------------|
| Memphis and Little Rock..... | 120 miles | \$1, 200, 000 |
| Little Rock and Fort Smith..... | 90 miles | 900, 000 |
| Little Rock, Pine Bluff and New Orleans, | 80 miles | 1, 200, 000 |
| Mississippi, Ouachita and Red River.... | 40 miles | 600, 000 |
| Arkansas Central and Pine Bluff Branch. | 30 miles | 450, 000 |
| | | <u>4, 350, 000</u> |

The Little Rock and Fort Smith Railroad Company filed an application dated —, 1871, for \$100,000 in bonds, which I have refused to issue, work having been suspended on the road in consequence of the contractor in Boston failing to pay the sub-contractor on the road, which has resulted in legal proceedings in the courts.

As soon as the obstacles are removed, and I become satisfied of a speedy completion of the road, I shall issue the bonds, but I believe it to be my imperative duty to withhold the bonds of this or any other road until it is clearly shown that the proceeds will be properly applied and secure the building of the road. I will state, however, that I have learned from reliable sources that arrangements are being made that will insure the construction of the entire line at an early day, but my information is not such that I can make a positive statement to that effect, or take any official action in the way of issuing bonds.

I will now give you a brief history of these roads, with their present condition and prospects, based upon official reports and actual knowledge of the facts:

MEMPHIS AND LITTLE ROCK RAILROAD.

At the time of reconstruction this road had about forty-five miles completed on each end of its line, leaving about forty-five miles—the middle division—untouched, the completed portions being hardly an excuse for a railroad. The middle division was located a large portion of the way through low, overflowed lands, making the construction very expensive. The company was without money or credit, and wholly unable to complete their line without State aid. Every citizen of the State was anxious to have the road completed at as early a day as possible, to secure railroad communication with the other States, which we were deprived of until the completion of this road.

Aid was awarded for one hundred and twenty miles, at \$10,000 per mile, in pursuance of section 9 of the aid law. The road is completed, and has been doing a large and successful business for several months; and the company have a large force upon the road at the present time, raising the grade above overflows on the eastern division, and putting the whole line in condition for a first-class road. The company have paid the coupons upon all bonds issued to them by the State promptly.

LITTLE ROCK AND FORT SMITH ROAD.

Work was commenced on this road about two years ago, and progressed rapidly until over one hundred miles were graded, tied, and bridged, and fifty miles entirely completed, which has been in operation and doing a very good business about sixteen or seventeen months. There are iron rails and fastenings for fifty miles more at Argenta, (opposite Little Rock,) the eastern terminus of the road, ready to be put down as soon as the differences are adjusted between the contractors and company.

The company has paid the coupons upon all bonds issued to them by the State until the last payment to pay coupons of October, 1871, which was not paid on account of the complications heretofore referred to. The State treasurer paid the amount, took possession of the road immediately, in pursuance of section 8 of the aid law.

The securities of the company are ample to insure the speedy completion of the entire line, and, as I have before stated, I have every reason to believe that the difficulties between contractors and the company will very soon be adjusted and the road finished.

LITTLE ROCK, PINE BLUFF AND NEW ORLEANS RAILROAD.

This road has eighty miles of its line graded, tied, and bridged. It has laid in track eighteen and a half miles of iron rails, a portion of which have been sold to the Mississippi, Ouachita and Red River Railroad Company. This has been done by reason of change of gauge. The company has one locomotive and thirty cars. It has recently purchased forty miles of iron rails and additional rolling-stock. Twenty miles of said rails are now due in New Orleans. The remaining twenty miles will be delivered within the next thirty days.

The present force upon the road is about one hundred men. The company have sufficient securities undisposed of to complete the entire line. They have recently entered into negotiations for the sale of their securities that will insure the completion of the entire road within a few months. This company has paid all coupons at maturity upon bonds issued by the State.

For cost of construction I refer you to the accompanying report of the superintendent and chief engineer.

MISSISSIPPI, OUACHITA AND RED RIVER RAILROAD.

This road has over forty miles graded, bridged, and tied, with twenty-nine miles completed and in operation, doing a good business. Work has been suspended upon this and the Little Rock, Pine Bluff and New Orleans road for several months, until recently, in consequence of failure of the party with whom they had contracted for means to complete seventy-five miles of each road to carry out his part of the contract and furnish the money upon the securities.

A new contract has been entered into with responsible parties, and the means is being furnished as fast as required, and both roads are progressing rapidly. This road (Mississippi, Ouachita and Red River) will unquestionably be completed to Warren, a distance of sixty miles, by the 1st of July next. The interest has been promptly paid by the company upon all State bonds.

For cost of this road you are respectfully referred to the report of superintendent and chief engineer.

ARKANSAS CENTRAL AND PINE BLUFF BRANCH.

This road was commenced last spring, and the company have been progressing rapidly with the work up to the present time. They are increasing their force, and intend

having the entire line and branches completed by the 1st of next August, or before. The grading, bridging, and tying is done from Helena to White River, a distance of forty miles. Also the Clarendon branch, a distance of eight miles. Work is also being pushed forward rapidly upon the Pine Bluff branch. The iron rails are contracted for with responsible parties for the entire line, the whole amount to be shipped by or before the 1st of March next. A considerable portion is now in transit, and everything looks to the speedy completion of the road.

KANSAS CITY AND FORT SMITH RAILROAD.

No work has been done upon this road, but I am informed a contract has been recently made to construct the entire line. No application having been made for bonds, no work having been done, I have not made myself familiar with the condition and prospects of the road, as I shall most assuredly do when such application is made.

It will be seen from the foregoing that we have every reason to believe that within eighteen months, or two years at farthest, the entire railroad system of the State, as contemplated in the passage of the aid law, will be completed. In addition to this, the Cairo and Fulton, traversing the State from northeast to southwest, is being pushed rapidly forward. By reference to a map which I herewith inclose, you will readily understand our system of internal improvements. Every road will be an important one, developing as fine a country as the sun shines upon, and all will be remunerative to the companies, so there need be no fear of loss to the State in consequence of the companies being unable to meet the interest upon the bonds issued by the State.

In reply to your question, "Whether State aid in any form has been extended to any project for levees; and if so, how, where, and what is the contingent liability of the State on that account, if any," I refer you to the statement of the commissioner of public works, herewith inclosed.

I am not positive that I understand your next inquiry fully, to wit: "How the State became liable for the old debt." The debt was originally contracted in 1836, '67, and '68, by issuing State bonds to a couple of institutions known as the "State Bank of Arkansas," and the "Real Estate Bank of Arkansas." I understand the mode of procedure to have been this: Individuals who were *known* at the capital mortgaged their real estate to the bank, or rather to the State, for these mortgages were turned over to the State as security for the bonds issued to the banks. The real estate in *special* cases (and I believe they were mostly special) was valued at fabulous prices. To illustrate, I am credibly informed that lands were entered at the United States land-offices, and immediately mortgaged at \$4 and \$5 per acre, and in some instances mortgaged prior to the entry to obtain the money to make the entry with. Much of the land is now enhanced in value, and will go far toward liquidating the debt. It is being closed out as rapidly as possible, and the proceeds are set aside as a sinking-fund to pay the funded debt.

The assumption of this debt entire by the legislature of 1868 will be understood by reference to the funding act herewith inclosed.

In reply to your inquiry, "What were the expenses of the State government in 1865, 1866, and 1867?" see statement of State auditor inclosed.

"What debt was contracted by the State during the war for war purposes?"

I have no *data* upon which to base a reply.

"When was the first valuation of property after the war, and amount? with official document, if at hand."

For a reply to this question I also refer you to statement of auditor of State.

You inquire, "To what, if to any, organization were the disturbances of 1868 attributed, with evidence, if any was taken, on that subject?"

It was attributed, I believe, by every intelligent loyal citizen of the State to the rebellious spirit of the men who had organized themselves into what is generally known as the Ku-Klux Klan, or Knights of the White Camelia, for the purpose of accomplishing, by intimidation and assassination, what they had failed to accomplish upon the tented field—the overthrow of the Federal Government. The best evidence of their intention is the graves of Hon. James Hinds, Johnson, Mason, and two hundred and fifty or three hundred others. There is on file in the executive office hundreds of letters portraying the condition of loyal men in different parts of the State as being heart rending. The course pursued by those connected with this organization was demon-like, not human.

I inclose you copies of a few, and send you transcript of testimony taken in one case in the circuit court.

In reply to your inquiry as to the vote at certain elections, I send you tabular statements from the secretary of state's office.

I am, sir, with great respect, your obedient servant,

O. A. HADLEY.

Hon. JOHN M. POOLE,
Chairman Sub-committee.

P. S.—I have no reliable *data* upon which to form an opinion as to the number disfranchised in this State, but think 5,000 is an approximate.

O. A. HADLEY.

Replies to questions 1, 2, 3, 4, 5, 6, 7, 8, and 9, embodied in a communication from the sub-committee on laws and finance of States and cities, dated at Washington, District of Columbia, March 24, 1871.

[Question 1.]

AN ACT to aid in the construction of railroads.

SECTION 1. *Be it enacted by the general assembly of the State of Arkansas:* For the purpose of securing such lines of railroad in this State as the interests of the people may from time to time require, the faith and credit of the State of Arkansas is hereby irrevocably pledged, and the proper authorities of the State will and shall issue to each railroad company or corporation, which shall become entitled thereto, the bonds of this State, in the sum of one thousand dollars (\$1,000) each, payable in thirty (30) years from the date thereof, with coupons thereto attached for the payment of interest on the same in the city of New York, semi-annually, at seven per cent. per annum, in the sum of fifteen thousand dollars (\$15,000) in bonds for each mile of railroad which has not received a railroad land-grant from the United States, and ten thousand dollars (\$10,000) in bonds for each mile of railroad which has received a land-grant from the United States, on account of which such bonds shall be due and issuable as provided.

SEC. 2. *Be it further enacted,* That the board of railroad commissioners are hereby authorized and required to receive the application for the loan of the State credit herein provided for, and to designate the roads entitled to the same: *Provided,* the whole aggregate number of miles of railroad proposed to be built by said companies to which such aid is granted does not exceed eight hundred and fifty (850) miles.

SEC. 3. *Be it further enacted,* That it shall be the duty of said board of railroad commissioners to inspect, from time to time, the railroad desiring to receive said aid, and shall indicate to the governor the manner such State aid is being used and applied. And should it appear that such State aid is being improperly used or applied, then the governor is hereby authorized to withhold all or a part of said bonds, and to take such other steps as he may deem proper, to the end that the bonds shall not be squandered to the manifest injury of the citizens of the State. Such action on the part of the governor shall be reported to the next session of the general assembly, who are hereby empowered to take such steps as may be necessary to protect the interests of the State.

SEC. 4. *Be it further enacted,* That any railroad company having existence under the laws of this State, and desirous of receiving the State aid hereinafter provided for, may signify the same by application to the board of railroad commissioners, signed by the president, and attested by the seal of said corporation, setting forth the charter and organization of said company, its capital stock, a map of the line or lines of road proposed to be built, the progress made thereon, the financial condition and resources of such company, with such other information as the case may require; and if said board of railroad commissioners shall find such corporation to be organized according to law, with resources adequate to the purpose, and that the construction of the proposed line or lines of road will be of public benefit, and said board of railroad commissioners shall consent to approve and grant such application, then and thereafter the said railroad company or corporation shall be entitled to, and have a right to ask for, demand, and receive the bonds of the State hereinbefore declared to be pledged and granted, upon complying with and fulfilling the terms and conditions hereinafter set forth.

SEC. 5. *Be it further enacted,* That any railroad company or corporation which shall have acquired the right to demand and receive State aid, by virtue of the official certificate in the preceding section specified, and claiming an issue of bonds in its behalf, shall first file in the office of secretary of state the following papers, viz:

First. A map of the line or lines of railroad proposed to be built, showing the counties traversed, the general direction and terminal points, and the streams to be crossed.

Second. The affidavit of the president and chief engineer, showing the estimated cost of preparing the first consecutive one hundred miles of road for the iron rails.

Third. The affidavit of the president or treasurer that the available resources of the company, subscriptions, money, lands, and other means are sufficient to prepare one hundred consecutive miles, or one-third of the whole line of road for the iron rails.

Fourth. The affidavit of the president and chief engineer that ten consecutive miles of road have been graded, bridged, furnished with ties, and made ready for the iron rails.

Fifth. And shall furnish the governor with such papers, documents, and other information as he may require in reference to the railroad or its management, to which affidavit shall be made.

SEC. 6. *Be it further enacted*, That thereupon the governor, or the person filing for the time being the executive office, shall issue to the president of said company the bonds of the State of Arkansas, bearing the seal of the State, attested by the secretary of state, as provided in section one hereof, upon the completion and preparation of the iron rails of each succeeding ten miles or more, until the entire line or lines of road of said railroad corporation shall be completed. The president of such railroad company shall file his official receipt for each issue of bonds, accompanied by the affidavit of himself and at least four directors that the bonds, or the avails of them, shall be disposed of solely for the purpose of providing for the ironing, equipping, building, and completing said road.

SEC. 7. *Be it further enacted*, That the legislature shall, from time to time, impose upon each railroad company, to which bonds shall have been issued, a tax equal to the amount of the annual interest upon such bonds then outstanding and unpaid, which tax may be paid in money or in the past-due coupons of the State at par, and after the expiration of five years from the completion of said road the legislature shall impose an additional special tax of two and one-half per cent. per annum upon the whole amount of State aid granted to such company, payable in money, or in the bonds and coupons of the State at par; and if in money, the same shall be invested by the treasurer of the State in the bonds of the State, at their current market value. The taxation in this section provided to continue until the amount of bonds issued to such company, with the interest thereon, shall have been paid by said company as herein specified, in which case the said road will be entitled to a discharge from all claims or liens on the part of the State: "Provided, That nothing herein contained shall be so construed as to deprive any company, securing the loan of the bonds of the State herein provided for, from paying the whole amount due from such company to the State at any time in the bonds of the State loaned in aid of railroads or the coupon thereon, or in money."

SEC. 8. *Be it further enacted*, That in the case the said company should fail to pay the taxes imposed by the preceding section, at the time the same become due, and for sixty days thereafter, it shall be the duty of the treasurer of the State, by writ of sequestration, to seize and take possession of the income and revenues of said company until the amount of said defaults shall be fully paid up and satisfied, with costs of sequestration, after which said treasurer shall release the further revenues of said company to its proper officers.

SEC. 9. *Be it further enacted*, That nothing herein shall be construed to prevent said board of railroad commissioners granting the State aid herein contemplated to the whole or any part of any railroad in the State which may now be unfinished or in process of construction: *Provided*, That as soon as this act shall be ratified by the people, and the commissioners shall approve the application of any company which may be entitled to the benefits of this act, and they shall have complied with its provisions, the governor shall be authorized to issue the bonds to said company upon demand therefor, as provided for in this act.

SEC. 10. *Be it further enacted*, That railroad companies or corporations desiring to make application for State aid, under the provisions hereof, must file the application required by the fourth section hereof within one year after this act shall have become a law, or within one year after the incorporation of any railroad which may be incorporated, and within one year thereafter comply with the requirements of section five hereof, with respect to the first ten miles of road, and complete the whole road within seven years after this act shall have become a law, or after the incorporation of the company: *Provided*, That any railroad now chartered and availing themselves of the provisions of this act shall construct and put in running order one-fourth of their entire line of road within two years after this act becomes a law, and one-half of their entire line of railroad within two years thereafter, and have the whole line finished and in running order before the expiration of seven years after this act becomes a law; failing in these conditions, said company or companies shall forfeit their charter and franchises to the State.

SEC. 11. *Be it further enacted*. That any railroad company that may have received, at any time before the ratification of this act by the people, under any law of this State, a loan of the bonds of this State, such company shall only be entitled to the benefits of this act to the amount and extent of the loan herein granted, after deducting the amount of bonds of the State, or other State aid received by such company from the State, under any other law of this State, from the whole amount such company may be entitled to under this act.

SEC. 12. *Be it further enacted*, That at the next general election to be holden under the provisions of section three of article fifteen of the constitution of this State, the proper officers having charge of such election shall open a poll as in other cases, take and receive the ballots of the electors qualified to vote for officers at such election for and against this act, in compliance with section six of article ten of the constitution,

such ballot to contain the words: "For railroads," or "Against railroads;" and if it appears that a majority so voting have voted "For railroads," this act shall immediately become operative and have full force, and all laws heretofore passed for loaning the credit of this State in aid of railroads shall cease and be void; but if a majority shall be found to have voted "Against railroads," this act shall be void and of no effect.

Approved July 21, 1868.

OFFICE OF SECRETARY OF STATE, ARKANSAS.

I, J. M. Johnson, secretary of state, Arkansas, do hereby certify that the foregoing writing is a true and correct copy of an act of the general assembly of the State of Arkansas, approved July 21, 1868, entitled "An act to aid in the construction of railroads."

In testimony whereof I have hereunto set my hand and affixed my seal of office, at Little Rock, this 5th day of December, A. D. 1871.

[SEAL.]

J. M. JOHNSON,
Secretary of State,
By FRANK STRONG,
Deputy.

[Questions 4, 5, and 6.]

Report of the State auditor.

STATE OF ARKANSAS, AUDITOR'S OFFICE,

Little Rock, December 2, 1871.

SIR: 4. The expenses of the State Government from April 12, 1865, to October 1, 1866, was \$162,321.42; from October 1, 1866, to July 3, 1868, \$449,644.09.

5. There is no information or record in this office showing the amount of the debt contracted by the State during the war for war purposes.

6. The first valuation of property after the war was taken in 1865; the value of taxable property, \$38,723,449.

Very respectfully, your obedient servant,

J. R. BERRY,
Auditor of State.

His Excellency O. A. HADLEY,
Governor of Arkansas.

[Question 1.]

Mississippi, Ouachita and Red River Railroad Company.—Cost of construction, &c.

OFFICE OF MISSISSIPPI, OUACHITA & RED RIVER RAILROAD COMPANY,

December 1, 1871.

SIR: Work was begun on the Mississippi, Ouachita and Red River Railroad in the month of June, 1870. To this date forty-two miles of road have been graded, bridged, and furnished with cross-ties, and twenty-one miles of track, westward from Eunice, have been laid. The road is well equipped with engines and cars, and has all the necessary buildings, warehouses, water-tanks, &c. It is now doing a prosperous business, transporting daily over 200 bales of cotton.

This business will be largely increased by carrying the track six miles further westward, where a temporary terminus will be established until the Saline River is bridged and the road-bed shall be completed to the town of Warren, a point sixty miles west from the Mississippi River.

The expenditures for construction and materials, &c., have been as follows:

| | |
|--|------------|
| Grading, bridging, and cross-ties..... | \$237, 000 |
| Twenty miles track..... | 170, 000 |
| Locomotives and cars..... | 49, 800 |
| Buildings, tools, machinery..... | 24, 000 |
| Interest paid on State and first-mortgage bonds..... | 85, 000 |
| Engineering, salaries, and incidental expenses..... | 45, 000 |
| | <hr/> |
| | 610, 800 |

The company's indebtedness will fall short of \$100,000; at the same time there is due to the company nearly double this amount.

Respectfully,

Colonel J. M. LEWIS,
President.

J. E. SICKLES,
Superintendent and Chief Engineer.

[Question 1.]

Little Rock, Pine Bluff, and New Orleans Railroad.—Cost of construction, &c.

OFFICE OF LITTLE ROCK, PINE BLUFF, AND NEW ORLEANS RAILROAD COMPANY,
December 1, 1871.

SIR: In response to your inquiries, I have the honor to submit the following statement: On the Little Rock, Pine Bluff and New Orleans Railroad eighty miles are graded, bridged, and furnished with cross-ties.

The road, as regards the grades, curvature, width of road-bed, bridges, and quality of cross-ties, is fully up to the requirements of a first-class railroad. As you are aware, the overflow of last spring broke through and swept away some portions of our embankments along the Mississippi front, carrying away in all about three-fourths of a mile of levee embankment.

These gaps are nearly closed, and the entire road-bed, for a distance of seven miles, is now under the direction of the State engineer, being raised so as to place the grade-line of the embankments three and a half feet above the highest floods, and secure, as it is believed, against all possible hazards in the future.

The present condition and progress of this work, which I am only just relieved from personal inspection of, enables me to state that this section will be again ready for the rails by the 1st of January next.

The cost of the work done, and materials and equipment furnished to this time, is as follows:

| | |
|---|------------------|
| Grading, bridging, and ties of eighty-two miles, including sidings..... | \$760,000 |
| Eighteen and a half miles track..... | 148,000 |
| Equipment | 40,000 |
| Buildings | 15,000 |
| Interest paid on State and first-mortgage bonds..... | 110,000 |
| Engineering and right of way and contingencies..... | 35,000 |
| | <u>1,108,000</u> |

The above amount pays for eighty-two miles of road-bed, eighteen and a half miles of track, one locomotive, and thirty cars, including passenger, express, box, and flat cars, the buildings and sundry machinery. The company has no indebtedness.

Respectfully,

Colonel J. M. LEWIS.

J. E. SICKLES,
Superintendent and Chief Engineer.

318 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

[Question 8.]

Consolidated report of election held in the State of Arkansas, commencing March 3, 1893 upon the ratification of the constitution. (See page 807, "Debates and Proceedings.")

| County. | For constitution. | Against constitution. | Total vote. | Total number of registered voters. |
|----------------------|-------------------|-----------------------|-------------|------------------------------------|
| Arkansas..... | 1,233 | 169 | 1,402 | 1,896 |
| Ashley..... | 414 | 626 | 1,040 | 1,438 |
| Bradley..... | 256 | 546 | 802 | 1,274 |
| Benton..... | 97 | 875 | 972 | 1,179 |
| Calhoun..... | 84 | 364 | 448 | 637 |
| Chicot..... | 714 | 193 | 907 | 1,857 |
| Carroll..... | 195 | 501 | 696 | 905 |
| Clark..... | 462 | 753 | 1,215 | 1,675 |
| Columbia..... | 591 | 977 | 1,568 | 2,200 |
| Crittenden..... | 496 | 123 | 619 | 962 |
| Craighead..... | 182 | 236 | 408 | 620 |
| Cross..... | 119 | 230 | 349 | 641 |
| Conway..... | 370 | 486 | 856 | 1,237 |
| Crawford..... | 383 | 518 | 901 | 1,146 |
| Dallas..... | 247 | 545 | 792 | 1,101 |
| Desha..... | 139 | 95 | 234 | 881 |
| Drew..... | 516 | 715 | 1,231 | 1,784 |
| Franklin..... | 320 | 510 | 830 | 1,045 |
| Fulton..... | 115 | 78 | 193 | 256 |
| Greene..... | 10 | 597 | 607 | 946 |
| Hempstead..... | 1,120 | 1,145 | 2,265 | 2,897 |
| Hot Spring..... | 214 | 474 | 688 | 920 |
| Independence..... | 517 | 620 | 1,137 | 1,665 |
| Izard..... | 145 | 409 | 554 | 799 |
| Jackson, (1)..... | 238 | 531 | 769 | 1,224 |
| Johnson..... | 355 | 397 | 752 | 950 |
| Jefferson, (2)..... | 3,259 | 438 | 3,697 | 3,839 |
| Lawrence, (3)..... | 114 | 445 | 559 | 1,013 |
| Little River..... | 246 | 126 | 372 | 739 |
| Lafayette..... | 466 | 423 | 889 | 1,083 |
| Madison..... | 342 | 144 | 486 | 725 |
| Marion..... | 65 | 264 | 329 | 519 |
| Mississippi..... | 94 | 133 | 227 | 516 |
| Montgomery..... | 168 | 130 | 298 | 537 |
| Mourne..... | 498 | 359 | 857 | 1,258 |
| Newton..... | 263 | 52 | 315 | 456 |
| Onachita..... | 577 | 1,057 | 1,634 | 2,305 |
| Polk..... | 172 | 70 | 242 | 422 |
| Pope..... | 394 | 404 | 798 | 1,000 |
| Prairie..... | 358 | 944 | 1,302 | 1,835 |
| Pulaski, (4)..... | 4,919 | 997 | 5,916 | 4,721 |
| Phillips..... | 2,157 | 845 | 3,002 | 4,040 |
| Perry..... | 96 | 137 | 233 | 378 |
| Pike..... | 262 | 150 | 412 | 592 |
| Poinsett, (5)..... | 74 | 97 | 171 | 232 |
| Randolph..... | 114 | 503 | 617 | 985 |
| Saline..... | 82 | 594 | 676 | 837 |
| Sebastian..... | 454 | 440 | 894 | 1,374 |
| Scott..... | 305 | 164 | 469 | 573 |
| Searcy..... | 307 | 92 | 399 | 577 |
| Sevier..... | 305 | 401 | 706 | 977 |
| Saint Francis..... | 450 | 265 | 715 | 1,013 |
| Union..... | 487 | 820 | 1,307 | 1,846 |
| Van Buren..... | 54 | 324 | 378 | 640 |
| Washington, (6)..... | 569 | 1,124 | 1,693 | 2,167 |
| White..... | 85 | 1,060 | 1,145 | 1,527 |
| Woodruff..... | 191 | 597 | 788 | 1,264 |
| Yell..... | 444 | 295 | 739 | 1,082 |
| Total..... | 27,913 | 26,597 | 54,510 | 73,784 |

Majority for constitution 1,316

REMARKS.

- (1.) No election held in one precinct.
- (2.) No returns from precincts; consolidated return from county; 730 persons were allowed to vote who were registered in other counties and precincts.
- (3.) No election held in four precincts.
- (4.) Vote exceeds registration by 1,195.
- (5.) No election held in one precinct.
- (6.) In White and Prairie precincts 21 persons voted who were registered in other counties and precincts—vote, viz, White, 8 for and 2 against; Prairie, 2 for and 9 against; also two returns from Prairie precinct give different figures.

[Question 8.]

Arkansas—presidential election of 1868.

| Counties. | Democratic electors. | | | | | Republican electors. | | | | |
|----------------------|----------------------|------------------|-----------------|-----------------|--------------|----------------------|---------------|-----------------|---------------|-------------------|
| | R. S. Gantt. | John R. Fellows. | W. W. Drummond. | W. D. Jackoway. | M. L. Jones. | W. H. Gray. | O. A. Hadley. | J. P. Farrelly. | O. P. Snyder. | M. L. Stephenson. |
| Arkansas..... | 555 | 555 | 555 | 555 | 554 | 662 | 663 | 663 | 663 | 633 |
| Ashley (1)..... | 22 | 22 | 22 | 22 | 22 | 174 | 174 | 174 | 174 | 174 |
| Benton..... | 391 | 391 | 391 | 391 | 391 | 486 | 486 | 486 | 486 | 486 |
| Bradley (1)..... | 309 | 309 | 309 | 309 | 309 | 434 | 434 | 434 | 434 | 434 |
| Crawford..... | 309 | 310 | 310 | 310 | 309 | 229 | 229 | 229 | 229 | 229 |
| Conway..... | 145 | 148 | 145 | 125 | 125 | 920 | 920 | 921 | 919 | 918 |
| Crittenden..... | 535 | 535 | 535 | 534 | 535 | 296 | 304 | 304 | 304 | 304 |
| Chicot..... | 623 | 623 | 623 | 623 | 623 | 597 | 597 | 597 | 597 | 597 |
| Carroll..... | 466 | 466 | 465 | 466 | 466 | 33 | 33 | 33 | 33 | 33 |
| Clark..... | 373 | 373 | 373 | 373 | 373 | 158 | 158 | 158 | 158 | 158 |
| Calhoun..... | 373 | 373 | 373 | 373 | 373 | 158 | 158 | 158 | 158 | 158 |
| Columbia (2)..... | 337 | 337 | 337 | 337 | 337 | 404 | 404 | 404 | 404 | 404 |
| Cross..... | 581 | 581 | 581 | 581 | 581 | 243 | 244 | 245 | 245 | 245 |
| Craighead (2)..... | 1,291 | 1,292 | 1,292 | 1,292 | 1,292 | 33 | 33 | 33 | 33 | 33 |
| Desha..... | 243 | 243 | 260 | 372 | 262 | 347 | 347 | 346 | 347 | 347 |
| Dallas..... | 243 | 243 | 260 | 372 | 262 | 347 | 347 | 346 | 347 | 347 |
| Drew..... | 243 | 243 | 260 | 372 | 262 | 347 | 347 | 346 | 347 | 347 |
| Franklin..... | 243 | 243 | 260 | 372 | 262 | 347 | 347 | 346 | 347 | 347 |
| Fulton (3)..... | 243 | 243 | 260 | 372 | 262 | 347 | 347 | 346 | 347 | 347 |
| Greene (2)..... | 654 | 654 | 654 | 654 | 654 | 1,156 | 1,156 | 1,156 | 1,156 | 1,156 |
| Hempstead..... | 654 | 654 | 654 | 654 | 654 | 1,156 | 1,156 | 1,156 | 1,156 | 1,156 |
| Hot Spring (2)..... | 451 | 487 | 485 | 451 | 451 | 134 | 136 | 136 | 136 | 136 |
| Izard..... | 677 | 677 | 677 | 677 | 677 | 565 | 566 | 566 | 566 | 566 |
| Independence..... | 777 | 777 | 777 | 777 | 777 | 158 | 158 | 158 | 158 | 158 |
| Jackson..... | 517 | 517 | 517 | 517 | 517 | 2,258 | 2,258 | 2,258 | 2,258 | 2,258 |
| Jefferson..... | 136 | 136 | 136 | 136 | 136 | 294 | 294 | 294 | 294 | 294 |
| Johnson..... | 136 | 136 | 136 | 136 | 136 | 294 | 294 | 294 | 294 | 294 |
| Lawrence (4)..... | 136 | 136 | 136 | 136 | 136 | 294 | 294 | 294 | 294 | 294 |
| Lafayette (2)..... | 136 | 136 | 136 | 136 | 136 | 294 | 294 | 294 | 294 | 294 |
| Little River..... | 267 | 267 | 267 | 267 | 267 | 22 | 22 | 22 | 22 | 22 |
| Mississippi (2)..... | 267 | 267 | 267 | 267 | 267 | 22 | 22 | 22 | 22 | 22 |
| Monroe..... | 454 | 455 | 455 | 456 | 420 | 526 | 543 | 543 | 543 | 543 |
| Marion..... | 54 | 54 | 54 | 54 | 54 | 105 | 105 | 105 | 105 | 105 |
| Madison..... | 70 | 70 | 70 | 70 | 70 | 416 | 415 | 415 | 413 | 354 |
| Montgomery..... | 48 | 48 | 48 | 48 | 48 | 237 | 242 | 242 | 242 | 242 |
| Newton..... | 78 | 78 | 78 | 78 | 78 | 223 | 223 | 223 | 223 | 223 |
| Onachita..... | 756 | 756 | 756 | 756 | 756 | 561 | 561 | 561 | 567 | 561 |
| Perry..... | 110 | 110 | 110 | 110 | 110 | 129 | 129 | 129 | 129 | 129 |
| Pike..... | 135 | 135 | 135 | 135 | 133 | 306 | 306 | 306 | 306 | 306 |
| Popo..... | 467 | 467 | 465 | 465 | 465 | 452 | 452 | 452 | 452 | 452 |
| Poinsett..... | 143 | 143 | 143 | 143 | 143 | 46 | 46 | 46 | 46 | 46 |
| Pulaski..... | 1,027 | 1,026 | 1,025 | 1,025 | 1,025 | 3,318 | 3,325 | 3,323 | 3,324 | 3,324 |
| Phillips..... | 710 | 710 | 710 | 510 | 697 | 2,676 | 2,676 | 2,676 | 2,676 | 2,676 |
| Polk..... | 251 | 251 | 251 | 251 | 251 | 77 | 77 | 77 | 77 | 77 |
| Prairie..... | 756 | 756 | 756 | 756 | 756 | 274 | 275 | 275 | 275 | 275 |
| Randolph (1)..... | 756 | 756 | 756 | 756 | 756 | 274 | 275 | 275 | 275 | 275 |
| Searcy..... | 83 | 83 | 83 | 83 | 83 | 384 | 384 | 384 | 384 | 384 |
| Saint Francis..... | 440 | 440 | 440 | 439 | 440 | 385 | 385 | 385 | 385 | 385 |
| Saline..... | 663 | 663 | 663 | 663 | 662 | 64 | 64 | 64 | 64 | 64 |
| Sharp (1)..... | 663 | 663 | 663 | 663 | 662 | 64 | 64 | 64 | 64 | 64 |
| Sevier (1)..... | 663 | 663 | 663 | 663 | 662 | 64 | 64 | 64 | 64 | 64 |
| Scott..... | 158 | 158 | 120 | 143 | 121 | 324 | 326 | 326 | 326 | 326 |
| Sebastian..... | 431 | 431 | 431 | 431 | 431 | 653 | 660 | 663 | 663 | 662 |
| Union..... | 1,396 | 1,396 | 1,396 | 1,396 | 1,396 | 124 | 124 | 124 | 124 | 124 |
| Van Buren..... | 328 | 331 | 336 | 155 | 54 | 73 | 60 | 73 | 41 | 41 |
| Washington..... | 95 | 95 | 95 | 95 | 95 | 640 | 641 | 641 | 641 | 641 |
| White..... | 270 | 270 | 270 | 270 | 270 | 477 | 477 | 477 | 477 | 477 |
| Woodruff (1)..... | 270 | 270 | 270 | 270 | 270 | 477 | 477 | 477 | 477 | 477 |
| Yell..... | 352 | 352 | 352 | 352 | 352 | 477 | 477 | 477 | 477 | 477 |
| Total..... | 18,835 | 19,918 | 18,253 | 18,638 | 20,715 | 22,073 | 22,092 | 21,727 | 21,699 | 21,632 |

REMARKS.

(1.) Registration set aside.
 (2.) Registration rejected.

(3.) No return.
 (4.) No registration; no vote.

320 CONDITION OF AFFAIRS IN THE SOUTHERN STATES.

[Question No. 1.]

Aid to railroads—result of vote.

OFFICE OF SECRETARY OF STATE ARKANSAS.

I, J. M. Johnson, secretary of state Arkansas, certify, that at the general election of 1868, in this State, the following was the total vote cast for and against railroads, according to the returns deposited in my office, viz:

| | |
|-----------------------------|--------|
| For railroads..... | 25,613 |
| Against railroads..... | 4,402 |
| Majority for railroads..... | 21,211 |

In witness whereof, I have hereto set my hand and affixed my official seal, at Little Rock, this 4th day of December, A. D. 1871.

[SEAL.]

J. M. JOHNSON,
Secretary of State,
 By FRANK STRONG,
Deputy.

Answers to questions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

STATE TREASURER'S OFFICE,
 Little Rock, Arkansas, November 14, 1871.

His Excellency O. A. HADLEY:

Your indorsement of October 18, referring to this office circular of John Pool, chairman of Sub-Committee to Investigate the Condition of the Insurrectionary States, is herewith respectfully returned with answers to the several interrogatories therein contained, as follows:

1. The actual indebtedness of the State of Arkansas at the several dates mentioned was as follows:

| | |
|--|----------------|
| On July 1, 1861..... | \$4,036,952 87 |
| On April 12, 1865, (date of surrender)..... | 4,527,879 87 |
| On July 3, 1868, (date of organization of the State government under the reconstruction acts)..... | 4,820,630 87 |

On January 1, 1871, as follows:

| | |
|---|---------------------|
| Bonds issued in aid of— | |
| Mississippi, Ouachita and Red River Railroad..... | \$300,000 00 |
| Little Rock, Pine Bluff and New Orleans Railroad..... | 600,000 00 |
| M. and L. R. Railroad..... | 1,050,000 00 |
| L. R. and F. S. Railroad..... | 800,000 00 |
| Bonded debt..... | 2,401,265 62 |
| Funded debt..... | 2,650,000 00 |
| Floating debt..... | 190,000 00 |
| | <u>7,991,265 62</u> |

2. The whole responsibility of the State, as indorser or otherwise, in 1861, was as shown above.

3. Nothing.

4. The increase in the State indebtedness arose from accrued interest unpaid on the old debt.

The only funds in the State treasury dedicated to specific purposes, of which the State or its authorized agents had the management, were—

| | |
|---|------------------|
| Funds arising from sales of a portion of the 500,000 acres of land donated by act of Congress to the State of Arkansas for internal improvements, (specie)..... | \$12,518 09 |
| Funds arising from sales of swamp and overflowed lands granted by Congress..... | 83,500 00 |
| | <u>96,018 09</u> |

This amount was transferred to the general fund, and used by the State for ordinary expenses and for war purposes.

5. No data in my office on which to base a reply.

6. None, except as stated in number 4.

7. No considerable loss to the State since 1865, arising from defalcation, fraud, or otherwise. What few losses have occurred were from defaulting collectors of State revenue. Nearly the whole of the amounts so lost has been credited to such collectors by the legislature granting relief.

This office is in possession of no information as to the culpability of any political party in connection with said loss.

8. No data in my office on which to base a reply.

9. Same as No. 8.

10. Same as No. 8.

11. Same as No. 8.

12. Same as No. 8.

13. Same as No. 8.

HENRY PAGE,
Treasurer of Arkansas.

[Question 2.]

Report of the commissioner of internal improvements.

OFFICE COMMISSIONER PUBLIC WORKS,
Little Rock, Arkansas, December 2, 1871.

SIR: In answer to your communication of the 1st instant, making inquiries in regard to the public works of this State, I have the honor to reply that, under and in pursuance of the provisions of the lately passed levee laws of this State, entitled "An act providing for the building and repairing of the public levees of this State, and for other purposes," approved March 16, 1869; the act supplement thereto, approved April 12, 1869, and the act at present in force, entitled, "An act to amend an act entitled an act providing for the building and repairing of the public levees of this State," approved March 23, 1871, this department has completed the following public works, all of which have been surveyed, contracted for, and finished since the passage of the above first-named act.

STATEMENT No. 1.

Completed works.

| Name. | Location. | Length. | Cost in levee bonds. |
|--------------------------------------|-----------------------|---------------------|----------------------|
| | | <i>Miles. feet.</i> | |
| Reeve's Point cut-off..... | Arkansas County..... | 0 2,200 | \$6,051 71 |
| Silver Lake crevasse..... | do..... | 0 1,715 | 37,038 62 |
| Plumb Bayou levee..... | Pulaski County..... | 0 459 | 7,342 01 |
| Plumb Bayou and Old River ditch..... | do..... | 0 2,200 | 8,441 68 |
| Flat Bayou levee..... | do..... | 0 292 | 5,185 55 |
| Terry's Ferry levee..... | do..... | 0 3,620 | 19,441 50 |
| New Gascony levee..... | Jefferson County..... | 2 2,640 | 83,375 21 |
| Collins Break levee..... | do..... | 0 587 | 4,798 50 |
| Red Fork levee..... | Desha County..... | 10 200 | 228,097 58 |
| Hensley's cut-off..... | Pulaski County..... | 0 1,450 | 36,629 94 |
| Crawford County ditches..... | Crawford County..... | 5 1,410 | 150,079 41 |
| Front Clay levee..... | Lincoln County..... | 0 4,700 | 23,715 00 |
| Old River break..... | Pulaski County..... | 0 706 | 40,071 54 |
| Ringslaiff and Ash Flat levee..... | do..... | 10 270 | 340,576 91 |
| Old River and Villemont levee..... | Arkansas County..... | 1 2,142 | 57,068 44 |
| Phillips County levees..... | Phillips County..... | 19 4,867 | 484,324 91 |
| Total..... | | 52 3,088 | 1,532,238 51 |

STATEMENT No. 2.

Works in process of construction.

| Name. | Location. | Length. | Cost in levee bonds. |
|--------------------------------|---------------------|---------------------|----------------------|
| | | <i>Miles. feet.</i> | |
| Chicot County levees..... | Chicot County..... | 30 1,320 | \$126,103 49 |
| Jacksonport levee..... | Jackson County..... | 3 560 | 14,971 54 |
| Fourche Bayou reclamation..... | Pulaski County..... | 27 000 | 42,898 38 |
| Total..... | | 60 1,880 | 183,973 41 |

STATEMENT No. 3.

Payments made to railroads whose lines protect lands from overflow, (under the provisions of section 11 of levee law.)

| Name of road. | Date of issue. | Amount.* |
|---|--------------------------------|--------------|
| Little Rock, Pine Bluff and New Orleans Railroad..... | January and February, 1870.... | \$23, 120 00 |
| Do..... | April and May, 1870..... | 34, 320 00 |
| Do..... | June and July, 1870..... | 28, 187 70 |
| Do..... | November, 1870..... | 74, 000 60 |
| Do..... | February and March, 1871..... | 78, 922 70 |
| Do..... | August, 1871..... | 79, 423 28 |
| White River Valley Railroad..... | January, 1870..... | 2, 000 00 |
| Do..... | November, 1870..... | 8, 900 00 |
| Do..... | March, 1871..... | 3, 626 10 |
| Memphis and Saint Louis Railroad..... | August, 1870..... | 13, 163 27 |
| Do..... | January, 1871..... | 22, 747 78 |
| Arkansas Central Railroad..... | July, 1871..... | 45, 704 10 |
| Total..... | | 414, 174 93 |

* Paid in levee bonds.

By foregoing statement, No. 1, you will please observe that I have, during my term of office and since the passage of the laws above referred to, inaugurated and carried to successful completion a linear extent of over fifty-two miles of levees and other works reclaiming lands of this State from overflow.

I have, in addition to the above, now in process of construction, works, as shown by statement No. 2, whose linear extent will be more than sixty miles; one-third of this distance is already completed but not fully paid for.

In statement No. 3, I have given the names of the railroads in this State to which levee aid has been awarded under the provisions of the levee law, a certified copy of which law I have appended hereunto. These works are important and as justly to be considered works of reclamation, as works contracted for directly by the State, and the provisions of the law expressly designate such railroads as entitled to a share in its benefits.

All the public works done by this department have been regularly petitioned for, surveyed, advertised, and contracted for according to law, and paid for only upon the certificate of the engineer in charge of the work in the employ of the State, that said work was completed. Then, and then only, have I issued my warrants either to contractors or railroad companies for the payment to them of levee bonds by the auditor.

In answer to your inquiry in regard to the contingent liability of this State for the payment of the bonds, I have the honor to state that, in my opinion, ample provision is made in sections 8 and 10 of the levee law (see copy herewith) for the payment of both principal and interest of the bonds without burdening any other resources of the State. If, however, these provisions should be found insufficient, my own opinion is that, by the provisions of section 9 of said law, the State would be liable to redeem at the expiration of thirty years any balance of bonds still outstanding.

I remain, very respectfully, your obedient servant,

[SEAL.]

BENJ. THOMAS,
Commissioner Public Works.

His excellency O. A. HADLEY, *Governor of State of Arkansas.*

AN ACT to amend an act entitled "An act providing for the building and repairing of the public levees of this State."

Be it enacted by the general assembly of the State of Arkansas, That an act entitled "An act providing for the building and repairing of the public levees of this State, and for other purposes," approved March 16, 1869, and the supplemental act approved April 12, 1869, be and the same is so amended as to read as follows:

SECTION 1. Whenever a majority of the land-owners, or their accredited agents in any locality in this State, who will be benefited by the building or repairing of any levee, or the ditching or draining of any overflowed or swamp lands, and who may desire to have any such levee built or repaired, or ditching or draining done, shall make an application in writing to the judge of the county court of the county in which such lands are situated, setting forth the locality where such public works are demanded, together with a description of the lands to be benefited thereby, and a description of the public work required, whether it be for building any levee, or for repairing the same, or for draining any swamp lands, or protecting any lands from overflow by

ditching or otherwise; and it shall be the duty of the county judge of any county, to whom such application shall be presented, to immediately forward the same to the commissioner of public works and internal improvements of this State, which application shall have attached thereto a certificate of the clerk of the county court that the names signed thereto are a majority of the resident owners, or their accredited agents, of the lands therein specified.

SEC. 2. It shall be the duty of the commissioner of public works and internal improvements for this State, immediately after the receipt by him of the application mentioned in the first section of this act, to cause to be made accurate surveys and estimates of the amount and kind of work required, in order to determine the practical utility and benefit, either to the State or individuals, to be derived therefrom; and if, after having made the necessary surveys and estimates, it shall be deemed by said commissioner that the expenditures are necessary, expedient, and justifiable, then the said commissioner of public works of the State shall proceed with the work; but if, on the contrary, the expenditures in behalf of the State shall not be deemed expedient and justifiable, the said commissioner shall take no further action in reference to the same.

SEC. 3. The commissioner of public works and internal improvements is hereby authorized to employ some suitable person as engineer, to make the necessary surveys and estimates, as required in section two of this act, who shall, upon the certificate of said commissioner, be paid in the same manner as State officers are paid; and said amount so paid shall be levied upon and collected from the various counties interested, in the manner as provided in section eight of this act.

SEC. 4. Upon authority given to any surveyor or civil engineer by the commissioner of public works, he shall have the right to enter upon and make reconnaissances and surveys of any lands belonging to this State, or to any person or persons, with the view of ascertaining the probable advantage to the State or to private land-owners of making or repairing any levee, or cutting any ditch or drain, and the cost thereof; and further, should the said commissioner, after such preliminary survey, deem it necessary, expedient, and justifiable that any such work should be made or done, then the right and authority is hereby granted to construct or repair any such levee, or to cut such ditch or drain through or on the lands of this State, or of any person or persons.

SEC. 5. It shall be the duty of the commissioner of public works and internal improvements of this State to contract with the lowest responsible bidder for the construction of all public works contemplated by the provisions of this act, and to this end he shall cause to be published advertisements for proposals for bids, in some newspaper published in the county where the work is to be done, and if there be no newspaper published in such county, then in the newspaper published nearest where the work is to be done—also, in either case, in one or more newspapers published in the city of Little Rock—at least four weeks previous to the letting of such contract, which advertisement shall give an accurate description of the amount and kind of work to be contracted for, together with their locality: *Provided*, That any and all bids shall be opened in the presence of the auditor, treasurer, and secretary of state, who shall have the right to reject any and all bids that in their judgment may be deemed too high or exorbitant.

SEC. 6. In all cases where a new levee is to be built, the engineer, under the instructions of the commissioner of public works, shall locate the same for the best interest of the State and all parties concerned. The same rule shall be observed by the engineer in locating and constructing all ditches and drains.

SEC. 7. Upon the certificate of the commissioner of public works and internal improvements that any contractor has completed his contract, or any portion thereof, for which he is entitled to draw pay, stating the amount such contract may be entitled to, the auditor of the State shall issue his warrants, which shall be denominated "Arkansas State levee bonds," in sums of not less than fifty nor more than one thousand dollars each, to such contractor, for the amount that said certificate may show to be due him, which bonds shall be payable in thirty years from the date of the passage of this act, and bear interest at the rate of seven per cent. per annum, payable semi-annually on the first days of July and January in each year, in the city of New York: *Provided*, That nothing contained in this act shall authorize a greater issue than three million of dollars; said bonds to have interest coupons thereto attached, and such auditor's warrants shall be received by any proper officer of this State, authorized to sell or receive the pay, for all lands known as swamp and overflowed lands and internal improvement land sold by this State.

SEC. 8. The interest upon the warrants mentioned in section seven (7) of this act, becoming due and payable, shall, in every instance, be levied upon and collected from land-owners who are benefited by the building or repairing of any levees, or making of any ditches or drains; and it shall be the duty of the commissioner of public works and internal improvements to cause a list of such lands as are so reclaimed or benefited, to be made out by the engineer at the time of surveying or locating such levees or drains, and thereupon said commissioner shall furnish a copy of such lists of land

to the county clerks, respectively, for each county in which said lands shall be so embraced, together with the amount due as interest on warrants issued by the auditor of the State for the payment of the reclamation or benefit of said lands; and the said commissioner shall, in each year thereafter, report to the said county clerks any changes that may have occurred during the current year, in the amount of tax due from said lands by reason of the retiring of any bonds, as provided for by section seven (7) and ten (10) of this act; and the county clerk shall extend such amounts upon the tax-lists of such county, against the lands specified in the list of the engineer aforesaid, for each year that such interest shall continue to become due, and shall cause the same to be collected as other taxes are collected, which tax shall be denominated levee tax, and shall be paid into the State treasury in such funds as all State taxes are, at the time, and in the same manner.

SEC. 9. At the expiration of thirty years from and after the passage of this act, all warrants issued by the auditor of this State under the provisions of this act, shall become due and payable by the State in the lawful money of the United States, and be redeemed by the treasurer accordingly.

SEC. 10. All the funds that have been heretofore received and now remaining in the treasury of this State, arising from the sale of swamp and overflowed lands, and the internal improvement lands of this State, and all the proceeds of the sale of the swamp and overflowed lands, and internal improvement lands, to be hereafter made by this State, shall be set apart and constitute a sinking fund for the payment of the levee bonds that may be issued by the auditor under and pursuant to the provisions of this act, and the interest thereon, in the following order: First, all balances of interest that may be due upon any of said warrants, as the same become due, that the tax collected for the purpose fails or shall be insufficient to pay. Second, to pay said warrants as they shall become due and payable, according to the tenor and effect thereof. And said fund, after paying the interest, or the balance of said interest, as aforesaid, shall be sacredly kept by the treasurer of this State for the purpose of paying said warrants at maturity, and shall be denominated a "levee fund." *Provided*, That between the first and thirtieth days of July in each year, it shall be the duty of the treasurer of this State to invest the surplus sinking fund remaining in the treasury on the first day of July in each year, in the warrants authorized to be issued under the provisions of this act, at the market price of said warrants at the date of such investment.

SEC. 11. Any railroad company that shall construct a road-bed through any portion of this State, that shall answer the purpose of a levee for the protection of any lands of the State from overflow, or shall cause the draining of the same by any continuous line of ditches, shall be entitled to receive an amount of the warrants of the auditor, authorized to be issued by this act, equal in amount to the expense of protecting the same lands from overflow by levee or drains made by the State, which amount shall be determined by the commissioner of public works and internal improvements; and such commissioner of public works shall cause the engineer employed by him to make the estimates and value of such road-bed as a levee or drain, to make and file in the office of said commissioner a list of all the lands reclaimed or benefited by reason of the construction of such road-bed, which lands shall be subject to the same tax for the purpose of paying the interest upon the warrants issued to such railroad company in payment for constructing such road-bed, as other lands reclaimed or benefited by the building or repairing of any levee, or cutting any ditch or drain, under the provisions of this act, and to be levied and collected at the same time and in the same manner.

SEC. 12. All warrants heretofore issued by the auditor or commissioner of public works and internal improvements, under the provisions of the act of March 16, 1869, or the act supplemental thereto, approved April 12, 1869, to which this act is an amendment, may be surrendered by the holder thereof at any time within one year from and after the passage of this act, to the treasurer of this State, for the purpose of having bonds issued to him for a like amount under and pursuant to the provisions of this act. In all such cases it shall be the duty of the treasurer to receive such warrants and give the holder thereof a certificate to the auditor, stating the whole number of warrants received, the person from whom he received them, the number, date, and amount of each warrant, and the aggregate amount of warrants so received. Upon the presentation of such certificate of the treasurer to the auditor of this State, it shall be his duty to issue to the holder thereof bonds for the amount of the certificate, under the provisions of this act: *Provided*, That all warrants and bonds issued and received under the provisions of this section, and all warrants issued under the provisions of the acts referred to in this section, shall constitute a part of and be deducted from the aggregate amount fixed in section seven (7) of this act.

SEC. 13. A sufficient amount of money is hereby appropriated, not to exceed five thousand dollars, to carry into effect the provisions of this act.

SEC. 14. This act to take effect and be in force from and after its passage; and all other laws and parts of laws for levee purposes, of any character, be and the same are hereby repealed.

Approved March 23, 1871.

OFFICE OF SECRETARY OF STATE ARKANSAS.

I certify that the foregoing is a true and correct copy of the act of the general assembly of the State of Arkansas, entitled "An act to amend an act entitled 'An act providing for the building and repairing of the public levees of this State,'" approved March 23, 1871, as copied from the original enrolled bill deposited in my office.

In testimony whereof I have hereto set my hand and affixed my seal of office, at Little Rock, this 2d day of December, A. D. 1871.

[SEAL.]

J. M. JOHNSON,
Secretary of State,
By FRANK STRONG,
Deputy.

[Questions 8, 9, and 10.]

STATE OF ARKANSAS, AUDITOR'S OFFICE,
Little Rock, November 16, 1871.

SIR: In compliance with your request of November 14, 1871, I have the honor to furnish so much of the information called for in circular letter of Hon. John Pool, chairman of sub-committee, &c., dated Washington, October 10, 1871, as shown by the records of this office.

Upon consultation with the treasurer of State I find that he has prepared answers to questions in said circular numbered from 1 to 7, inclusive, rendering unnecessary any further reply from me to those inquiries, the records of this office giving the same information.

Answer to question No. 8.—There is no record showing the amount of county taxation in 1860. For 1870, the county taxes, which includes district school taxes, amounts to \$1,761,340.

Answer to question No. 9.—The cost of conducting the State government for the two years ending September 30, 1860, was \$408,394.98; and for two years ending July 1, 1870, \$1,221,763.

Question No. 10.—The increase in the cost of conducting the State government for the two years last mentioned may be accounted for in the expense of the civil election of 1868; the registration of the qualified electors of the State; the increased legislation incident to the reconstruction of the State; the calling of the State militia into active service in 1868-'69, and the increased number of offices and increased salaries.

Question Nos. 11, 12, and 13.—No data in this office on which to base a reply.

Very respectfully, your obedient servant,

J. R. BERRY,
Auditor of State.

His Excellency O. A. HADLEY, *Governor of Arkansas.*

[Questions 11, 12, and 13.]

ATTORNEY GENERAL'S OFFICE,
State of Arkansas, November 14, 1871.

SIR: I have the honor, in compliance with your request, to furnish so much of the information called for by Hon. John Pool, chairman, &c., dated Washington, October 10, 1871, as properly comes within the purview of my official duties.

And in answer to interrogatory No. 11, I refer to the election laws in force previous to the adoption of our present constitution, and which governed all elections from the time of their passage up to the time of reconstruction. Under section 2, of article 4, of constitution of 1836, "every *free white* male citizen of the United States," (twenty-one years old,) "who shall have been a citizen of this State six months, shall be deemed a qualified elector."

Under the laws then in force the county courts of the respective counties appointed judges of election, (Gould's Digest, page 466;) they continued in office until the next general election, (*ib.*) No registration was necessary; the judges of election were the sole judges of electors' qualifications, (*ib.*, 469.) The mode of voting was by ballot.

It was the duty of the clerks of election to write the name of the voter and place opposite his name the number of the vote, and indorse on the ticket the same number. (*ib.*, 471.)

I inclose herewith the entire franchise article (8) of our present constitution, and having stated the leading points of the election laws previously in force, it will be seen that it was obligatory upon the legislature to enact registration and new election

laws, in order to carry out the provisions of the constitution, and also to place the State in harmony with the General Government, and on a loyal basis.

Therefore, registration laws were enacted, providing for the registration of qualified electors in each county, by a board of registration, or rather by a member of the board, the entire board sitting as a board of review, by whom, if any one was wrongfully registered, his name was stricken from the list; and if any one was wrongfully refused registration, his name was added. The board of registration appointed the judges of election. Election laws provided that no judge or clerk of election should mark or number any ticket, whereby it could be ascertained how any elector should vote. I may add here, that the registrars by law are appointed by the governor.

No very material changes have been made in regard to canvassing or the returns of elections; but those that were made, and were the necessary result of the changed condition of the people, created such an intense feeling of antagonism among the late rebels that an armed resistance was organized throughout the State, the result of which was that nearly four hundred loyal citizens were murdered within our State from the time of the adoption of the constitution (March 13, 1868) to the presidential election, (November, 1868;) and I may be excused for adding here, that this was the cause for proclaiming certain counties under martial law, and calling out the militia in order to suppress this rebellion against the authority of the State, which added to the general expenditure of the State the sum of at least \$400,000, (not included or specified, at least, in treasurer or auditor's report.)

These changes in the election laws, and the laws pertaining thereto, have never given rise to unfairness or frauds in elections, but, on the contrary, have been the sole cause of preventing them.

In addition to the reasons given by the auditor for the increase of expenditures during the two years ending 1870, as compared with the two years ending 1860, I would say that an elaborate school system was put in operation during the latter two years, which was necessarily expensive, and made more so by the determined opposition it received from the democracy, and this had to be done without the proceeds of the sales of the magnificent grant of lands made the State by the General Government, a great portion of which had been squandered in aid of the rebellion. And the remainder, about \$1,200,000, consisted of notes against old favorites in *ante-bellum* days, and who were bankrupts since the war. Free common schools were unknown in the State before reconstruction. A grand system is now in full operation.

I am, very respectfully, your obedient servant,

JNO. R. MONTGOMERY,
Attorney General.

Hon. O. A. HADLEY, *Governor, &c.*

[Question 7.]

Evidences of Ku-Klux organizations.

LEWISBURGH, ARKANSAS, *December 4, 1868.*

SIR: I have to report that the Ku-Klux made a raid upon and killed George Washington (colored) last night at his own house. In the fight they dropped some papers, which will lead to the detection of the guilty parties. I shall immediately proceed to make arrests and investigate the whole matter.

About one-third of the town was set afire and burned, and the circumstances indicate it was the work of Ku-Klux.

I have dispatched to the sheriff of this county to be ready to take part with posse.

Respectfully, your obedient servant,

JOHN L. MATTHEWS,
Captain, Commanding Third Company Conway State Guards.

His Excellency POWELL CLAYTON,
Governor of Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

LEWISBURGH, ARKANSAS, *December 1, 1868.*

SIR: This town was about one-third burned this morning. The fire was first discovered in Gill & Mathau's Hotel, which was, no doubt, from the circumstances of the case, set upon fire by Ku-Kluxes. At 10 o'clock last night about six Ku-Kluxes

went to the house of one George Washington, (colored,) and shot him four times, inflicting mortal wounds, and has since died. Lawlessness, with all its horrors, reigns supreme here. Although I am a justice of the peace here, I do not try to maintain the authority and majesty of the law, for I am very well convinced that at least half of the people here are of the Ku-Klux order. I will request that this place be garrisoned with not less than fifty men, for unless it is done myself and others who favor the present State government will have to abandon their homes and leave the country to save themselves from being murdered.

There is no protection here for life nor property. There is a good company of militia State guards here, but they are not on duty all while, which is much needed, and unless I can have some protection here I will be compelled to send in my resignation and leave the country.

The post-office and all my docket, &c., were burned.

Hoping to hear from you in relation to what is daily transpiring here, I remain, very respectfully, your obedient servant,

L. B. UMPHFLET,
Justice of the Peace.

His Excellency POWELL CLAYTON,
Governor of Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

MONTICELLO, November 5, 1863.

GOVERNOR: I deem it my duty to lay before you a brief statement of affairs in this county.

Since the murder of William G. Dollar and of Fred. Reeves, about a month ago, our county has been remarkably quiet and peaceable until Saturday night last, when a small squad of Ku-Klux made their appearance in the neighborhood, and perhaps in the town, but did no particular mischief. About 4 o'clock Sunday evening between forty and fifty suddenly appeared in town, and, after riding around the square, as suddenly disappeared. About 11 o'clock at night ten went to the house of Abram Boler, a colored preacher, on the farm of W. T. Wells, one mile from town, broke into his house, took him off into the woods, tied him, stripped him, and gave him a very severe beating; one thrust his pistol down his throat, and the same or another stood upon his neck while he was being beaten. He had done no wrong; his only offense was, he was a radical, and could read and could give other people information. The same, or more probably another squad, went to the farm of P. S. Wells, four miles from town, and gave Wesley Ridgwell, another colored preacher, a similar beating. A colored man residing with Mr. James Manees was also taken and tied, but fortunately got loose and escaped. Abraham Boles was told by them, when whipping him, that they intended to render him unable to get to the polls. Many threats were made against all, white and black, who dared vote the republican ticket. Myself and Judge Preddy and one or two others were particularly named. The word was put out by them on Sunday that the roads would be picketed, and all colored men would be killed who voted with the republicans. Some sixty-five colored men came into the election; not one dared vote the republican ticket, and not two, I believe, desired to vote the democratic. Those present that wished to decline to vote, I am 'told, were threatened. Levin Scott declined, and at night he was taken from his house by the Klan and cruelly beaten. Many of the Klan are known. Dr. William H. Barry of this town is the leader. They certainly knew that General Grant would be elected, and their object was not really to affect the results of the election. They cannot and do not expect peace; their object is war. Terror reigns here. The returns from all the precincts, except Smith, are in. Seymour & Blair have 1,200, and Grant & Colfax 16. Only three republican votes were cast in this town; they were given by Judge Preddy, George Crowell, and myself. Our sheriff and clerk, to save their lives, have declared themselves democrats. Mr. Butler, president of the board of registrars, did not come to the polls. Mr. Good, another member of the board, did not vote. Mr. Z. H. Manees, our representative, an earnest republican, *under fear of death* voted the democratic ticket. I am not terrified, but think it probable I shall be assassinated in a few days. I shall die a republican. I pray you send us at least ten or fifteen soldiers.

•Very respectfully, &c.,

W. M. HARRISON.

POWELL CLAYTON,
Governor of Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

OSCEOLA, MISSISSIPPI COUNTY, ARKANSAS,
September 20, 1868.

His Excellency POWELL CLAYTON, *Governor*:

I have the honor to make the following statement in regard to affairs in Mississippi County:

That since the removal of the troops from the county a gang of lawless desperadoes have been committing numerous outrages upon Union men and Freedmen. Dr. A. M. Johnson, member of the legislature, was assassinated on the night of August 25 by this gang, and six freedmen have been murdered within the past six weeks; others wounded, assaulted, and driven from their homes and the county.

The county officers commissioned have all failed to qualify for the different positions, except the county judge. This failure, I believe, is from repeated threats made against any one having or accepting a position under the new government.

Under the present state of affairs I consider it unsafe for the registrars to perform their duty in the county without troops to enforce the laws and maintain peace.

I am, sir, very respectfully, your obedient servant,

ELI H. MIX,
Registrar for Mississippi County.

Present address: Little Rock, Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

BATESVILLE, ARKANSAS, November 5, 1868.

SIR: I wish to call your attention to the condition of the loyal men of Fulton County.

The life of Mason was threatened for over two years. Every month he informed the authorities of it. Nothing was done, and Mason fell, the victim of rebel hate. Others were then threatened, and still are, and at present John H. Baker and his sons are seeking safety in concealment. We are all in danger—all are threatened.

Now, sir, in the dark days of treason we were true to our country, and now we ask and demand that we be protected. If Arkansas, or the United States authorities cannot, or will not protect us, the governor of Missouri can, with our aid.

Rebels say it will come to a focus in ten days. You cannot judge the condition of men exposed on the frontier to the hellish acts of outlaws, by others who are in safety. Now, governor, if you can do nothing for us, say so, and we will take steps to protect ourselves. Cold weather is coming, and as loyal men have some rights, we propose to rest in shelter at night for the future, if possible; we can't stay in the brush much longer.

I am, sir, respectfully, your obedient servant,

JOS. P. MARTIN.

Governor POWELL CLAYTON.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

BATESVILLE, ARKANSAS, August 31, 1868.

KEYES DANFORTH, *Adjutant General State of Arkansas*:

On Saturday I, with a company of colored State guards was mustered into the service of the State as such, and on the same night some of the same men who were mustered in went to their houses quietly, and about midnight they were visited and charged upon by an armed force of about twenty-five men, disguised, and under the name of Ku-Klux, driving them from their homes and shooting at them, wounding one man in the neck slightly.

Sunday morning the colored men reported the facts to me as their captain.

If there are any acts of the general assembly specially regarding Ku-Klux, I would most respectfully ask you to send me an official copy.

Very respectfully, your obedient servant,

D. MCILVAINE,
Captain First Company State Guards, Independence County.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

FALCON, COLUMBIA COUNTY, ARKANSAS, *September 27, 1868.*

His Excellency Governor CLAYTON :

At the request of several loyal citizens of this county, I pen this communication to your excellency, for which I respectfully beg your indulgence. It is needless for me to lay before you the situation as it exists in this county, but in view of the approaching presidential election I deem it necessary, as well as expedient, to inform your excellency of some facts as they are here.

There are organizations existing in South Arkansas, purporting to be democratic political clubs, but which are, in fact, nothing more or less than treasonable combinations against the State and Federal Governments. They unhesitatingly and boldly proclaim that at the polls, in November, they will override, overawe, and even kill every man that has identified himself with the republican party ; or, to quote their vulgar phraseology, " the radicals are going to see squally times in November ;" and they assert that Governor Clayton cannot march through this portion of the State at the head of troops.

I respectfully suggest to your excellency that, unless troops are sent to the different precincts, no man will dare to cast his ballot for Grant and Colfax. Union men do not only *apprehend* danger and assassination—it is as clear as the noonday sun. Their public speakers, claiming to be friends of law and order, use very intemperate and incendiary language, calculated to influence the minds of the people and create in them a desire for redress for imaginary wrongs. Resistance to the present organic law of this State and the amended organic law of the United States, is the "burden of their song." In fact, resistance to all measures, consummated or advanced by the republican party, constitute their every theme. They appeared before the registrars, and after socially ostracizing those who took, in good faith, the "constitutional oath," took it themselves, with the expressed and avowed intention of abiding by it no longer than they were compelled. They took it that they might be the better able to resist the law.

I again say, that without troops the election here will be a mere farce. I mail this communication at Magnolia, otherwise it would never leave the office here. Please reply, and address me at Falcon.

Very respectfully, your obedient servant,

JOHN W. MEEK.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

LITTLE ROCK, *December 5, 1871.*

DEAR SIR : I write you for the purpose of stating that the condition of the loyal men in Crittenden County, Arkansas, is growing worse all the time. On or about the night of the 24th of November, 1868, the Ku-Klux took Alex. Farmer out of his house and shot him, and Dr. Whitset (practicing physician) would not even dress his wounds, and he died the next day. Farmer's wife recognized the men, and the same men were on the coroner's jury, but the verdict was, "Killed by a gun-shot by unknown parties." The same gang killed a colored man a few days before.

The sheriff's office is entirely controlled by the Ku-Klux Klan. Without an active armed militia and martial law in that county there cannot be even an attempt made to administer justice. Loyal men are writing me every mail reciting the horrible deeds and praying for militia and martial law, and that it may be given immediately. As the representative of the loyal people of Crittenden County, I ask that their request may be granted with the least possible delay.

I am, sir, very respectfully your obedient servant,

E. G. BARKER,
State Senator.

His Excellency POWELL CLAYTON, *Governor State of Arkansas.*

I certify the above to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

PARACLIPTA, SEVIER COUNTY, ARKANSAS, *October 27, 1868.*

DEAR SIR : I thought it my duty to report to you the affairs in this section of the country. On Saturday, the 24th, Major Porter I. Andrews, United States revenue assessor, and Lieutenant Hiram F. Willis, Freedmen's Bureau agent, were killed ; also, Mr. Standell, the sheriff, wounded in the arm, and one freedman killed and one wounded.

All this took place near Rocky Comfort, Little River County. I have not the particulars; everybody much excited. I shall perhaps get the particulars to-day.

* * * * *
Yours, in haste,

J. B. SMITH.

His Excellency POWELL CLAYTON, *Governor of Arkansas.*

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

AUGUSTA, WOODRUFF COUNTY, *October 4, 1868.*

DEAR GOVERNOR: On Tuesday, 29th of September, F. A. McClure and myself started out alone to fulfill an appointment, made some time previous, to organize a company of militia in Cotton Plant. We rode thirty-five miles that day, and found that threats and intimidations had been made such free use of that the probability was the colored men would fear to turn out, which proved to be true. As on the 30th, only one man could be found in the town of Cotton Plant who would talk with us on the subject. We then remained throughout the day, and about an hour by sun a friend came to us and invited us to stay at his house over night, about three miles in the country. On the way out he told me that there was some excitement in town about our organizing the militia, and we would be safer at his house than anywhere else. We were treated well, and the next day, October 1, started on our way to meet Colonel Roots, who had an appointment at De View, and on arriving there, after a ride of twenty-five miles, found there had been no turn-out, and that Roots and his party had left for Madison. We then went five miles from town, staid over night, returning in the morning to De View, and proceeded toward Augusta. We rode about four miles, coming to Cache Bottom between 10 and 11 o'clock a. m., when we were fired upon from an ambush by three men with rifles, double-barrel shot guns, and pistols. The first round one ball went through the shoulder of my coat and through my chin, and one ball struck my head, just escaping the temple. McClure, at the same time, received a ball through the top of his shoulder, and looking immediately around at the parties, received a ball in the throat. Incessant fire was then kept on us; in all, about fifteen shots. I was bleeding so profusely from the wound in my head we were compelled to run our horses to the nearest house, or I could not have rode the distance, one and a half miles. I could not stand, after our arrival, for some time. I was carried to town in a wagon, a distance of seven miles, where I remained over night, and was brought home the next morning, where I now am, doing as well as could be expected.

* * * * *
Captain Dick Davis, of Jacksonford, came here and organized a Ku-Klux Klan a short time since, and a party had a parade in their disguise while we were absent.

* * * * *
Respectfully, yours,

D. P. UPHAM.

His Excellency POWELL CLAYTON,
Governor of Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

LITTLE ROCK, *October 15, 1868.*

SIR: I received official notice of my appointment as chairman of the board of registration of Lafayette County, on or about the 20th of August last, and immediately took the oath of office.

Before the time to commence registration arrived there was an organization formed of from one to two hundred men, for the avowed object of killing Union men, of both colors, who would not join democratic clubs and vote their ticket. Some ten to fifteen colored men were shot down for this cause, and I had reliable information that if I attempted to register I would be assassinated.

Feeling that my life was in imminent danger I privately left the county, and have not since returned. The other registrars refused to qualify, through fear—one of them

escaping assassination after having a pistol presented at him twice, and fleeing the county. Therefore there has been no registration in said county.

Very respectfully,

A. M. MERRICK,
Chairman Board of Registration, Lafayette County.

His Excellency POWELL CLAYTON,
Governor of Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

SHERIFF'S OFFICE, *Helena, September 6, 1868.*

GOVERNOR CLAYTON: Since I last wrote to you the Ku-Klux Klan, in force of from twelve to fifteen, have appeared on three or four plantations in our county with their mysterious apparitions, for the purpose of influencing the colored vote. Occasionally they force their way into a cabin and uprip its contents. Their principal object seems to be to disarm the colored people. They have taken two guns that I have heard of. I find it most difficult to get any satisfactory information in regard to their identity. In case they were recognized by their voices, they could easily prove an *alibi*.

Most respectfully, &c.,

D. C. GORDON, *Sheriff.*

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

UNION, FULTON COUNTY, ARKANSAS,
September 22, 1868.

SIR: Captain Simpson Maxon was shot from the brush and instantly killed while on duty, on the morning of the 19th instant, by a party of some eleven or thirteen men, on Bennett's Bayou.

Captain Maxon was traveling on the main road up the bayou for the purpose of registering the voters of that precinct.

I am going off this morning with a posse of thirty men to investigate the affair, and to arrest, if possible, the parties for whom the State warrants call.

I am informed that those accused parties, or, I should say, suspected parties, are banded together for the purpose of resisting the civil law and preventing the arrest of any of their number.

Excitement is intense with the loyal men of the county; myself and many others are threatened by the disloyalists with death if we ever attempt to carry out the provisions of the constitutional laws of the State without first asking *their* advice and sanction.

* * * * *
Respectfully, your obedient servant,

WILLIAM E. SPEAR,
Sheriff, Fulton County, Arkansas.

His Excellency POWELL CLAYTON,
Governor of Arkansas.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

SEVIER COUNTY,
In the Woods, November 6, 1868.

DEAR GOVERNOR: Your favor of the 2d came to our camp-fire on the night of the 4th; truly glad to hear from you. On the 1st I received the following notice, in manner and form, viz:

"Sheriff
"Smith

"'A word to the wise is sufficient.'

and Mat
Locke.

"Mr. STEELE: Take head three days from the full moon, (October.) Be profited by the example of the guest that left your house on the 26th instant. We don't know you—if you *please*, don't have us form your acquaintance.

"'A word to the wise is sufficient.'

"BAKER,
"B. O., K. E.

T.

"Time is precious."

Soon after daylight on the morning of the 2d I exhibited the same to Captain Smith and sent for Locke. During the day we had a conference with other friends; a proposition was unanimously adopted that night; Captain Smith declined the agreement and remained safe at home; we were forced to the woods, where we still are.

Captain Smith remains quiet and safe at home. We are daily advised that we are in imminent danger, but to-day I leave my camp. Mr. Locke will leave for Little Rock. I have not the means to go. We have heard that Captain Smith has caved.

Republicans that would do for me are alarmed to see me appear at their houses. I am one of the marked ones. Information has been received that I now live because only that I took different roads at times when my life was plotted.

I bless God that I am a republican, but regret that I live in a government that gives me no protection. It is probable I will be in eternity when you receive this letter. When Captain Locke arrives in Little Rock have him received kindly. He is one of the tried ones.

T. G. T. STEELE.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

AUGUSTA, ARKANSAS, October 30, 1868.

SIR AND FRIEND: The Ku-Klux made a raid on our city last night—killed old Uncle George McElum, shot Bill Cincinnati through the leg; also shot at myself and James W. Bosley; we are not hurt. We are in an awful condition at the present time. Can't you have troops sent here? Also the Ku-Klux made a raid on your place and N. P. Anderson—taking Mr. Anderson's revolver—making awful threats on the inmates of the house. I advise you to send for your wife. If things goes on as they are, I am compelled to come to Little Rock. Please do something for us or we can't stay here.

COLLINS H. DAVIS,
Deputy Sheriff of Woodruff County.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

Hon. D. P. UPHAM.

Respectfully referred to Governor Powell Clayton.

D. P. UPHAM.

MARION, ARKANSAS, August 24, 1868.

SIR: Since writing my last letter we have made some new developments. We have reliable information of a secret organization of ninety men, well armed, who hold themselves in readiness to act at a minute's notice; and one of the plans of this organization is to capture the arms put into the hands of the militia, and kill the leading men of the county. They have already shot two, myself and a black man, and by this means they intend to control the county, and they will unless something is done promptly. I suggested in my last letter that something ought to be done, and now I say that something must be done in order to save the county and protect the loyal men in it.

I have endeavored to lay a few of the facts before you, and would respectfully request that you let us know what you can do for us at your earliest convenience.

Personally I am unable to do anything, which makes me all the more desirous that something be done before others are disabled. I have employed a detective to ferret out the assassin that shot me, and I would ask if you would be authorized to pay the expenses of a few detectives out of the contingent fund.

The doctor informs me that my wounds are doing well, although I am becoming more debilitated every day.

I am, sir, very respectfully, your obedient servant,

E. G. PARKER.

I certify the above and foregoing to be a true and correct copy of the original.

KEYES DANFORTH,
Private Secretary.

His Excellency POWELL CLAYTON,
Governor of Arkansas.

Statement of the Auditor.

AUDITOR'S OFFICE, STATE OF ALABAMA, *Montgomery, November 10, 1871.*

SIR: In answer to your circular letter of the 10th ultimo, I have the honor to submit the following statement:

1. Indebtedness of Alabama, July, 1861.

| | |
|--|---------------------|
| Bonded debt..... | \$3,445,000 00 |
| Sixteenth-section fund..... | 1,524,087 00 |
| Valueless sixteenth-section fund..... | 97,091 21 |
| United States surplus-revenue fund..... | 669,086 80 |
| Due "three per cent. fund" under act approved February 18, 1860..... | 204,389 86 |
| Total | 5,939,654 87 |

Indebtedness May 24, 1865, as per comptroller's report.

| | |
|---|----------------------|
| Bonded debt, (old)..... | \$3,445,000 00 |
| Sixteenth-section fund..... | 1,710,008 44 |
| Valueless sixteenth-section fund..... | 97,091 21 |
| University fund..... | 300,000 00 |
| United States surplus-revenue fund..... | 669,086 80 |
| War debt: | |
| Bonded debt, (new)..... | 5,929,500 00 |
| State treasury notes..... | 4,042,680 00 |
| State treasury change bills..... | 3,122,551 95 |
| Total | 19,315,918 40 |

Indebtedness July, 1868.

(Inauguration of State government under reconstruction acts.)

| | |
|---|---------------------|
| Bonded debt..... | \$4,726,300 00 |
| Temporary loans..... | 109,350 00 |
| Sixteenth-section fund..... | 1,710,157 45 |
| Valueless sixteenth-section fund..... | 97,091 21 |
| University fund..... | 300,000 00 |
| United States surplus-revenue fund..... | 669,086 80 |
| Interest due trust-funds..... | 245,411 46 |
| Outstanding State certificates..... | 47,000 00 |
| Total..... | 7,904,396 92 |

Indebtedness, January, 1871.

| | |
|---|---------------------|
| Bonded debt..... | \$5,382,800 00 |
| Temporary loans..... | 6,000 00 |
| Sixteenth-section fund..... | 1,729,032 74 |
| Valueless sixteenth-section fund..... | 97,091 21 |
| University fund..... | 300,000 00 |
| United States surplus-revenue fund..... | 669,086 80 |
| Outstanding State certificates..... | 300,000 00 |
| Total..... | 8,484,010 75 |

2. The State was responsible for amount due the "three per cent. fund," \$204,389.86.

3. See answer to No. 2.

4. Increase of indebtedness since 1865 from collateral responsibility of 1861, none. From contingent or prospective liability of 1861, nothing. Accrued interest unpaid upon the old debt, \$621,100. From necessities created by loss of public funds dedicated to specific purposes, &c., nothing.

5. The items which make up the increase are as follows:

| | |
|---|--------------|
| 1st. Bonds issued for funding interest due on bonded debt..... | \$621,100 00 |
| 2d. Bonds issued under act approved December 15, 1865..... | 829,700 00 |
| 3d. Bonds issued under act approved August 12, 1868..... | 487,000 00 |
| 4th. Amount received on account of sixteenth section fund..... | 19,023 90 |
| 5th. State certificates issued under act February 19, 1867..... | 300,000 00 |

Total increase of indebtedness..... **2,256,823 90**

The necessity for the increase and the acts creating the same are as follows :

First. For funding interest due on old bonded debt, under act December 15, 1865. Legislature largely democratic.

Second. By act of the legislature approved December 15, 1865, the governor was authorized to issue the bonds of the State for \$1,500,000, "or so much thereof as may be necessary" to meet any deficiency in the treasury. Under this act the sum of \$829,700 was issued for general purposes, and \$621,100 for funding interest, as above stated. The depleted condition of the treasury necessitated the issue of these bonds. Legislature largely democratic.

Third. An act of the legislature approved August 12, 1868, authorized the governor to issue bonds not exceeding the sum of \$500,000. By reference to statement of "indebtedness July, 1868," (page 2,) it will be seen that at the date of the inauguration of the State government under the reconstruction acts, the following items were actually due by the State, viz :

| | |
|---|--------------|
| Temporary loans | \$109,350 00 |
| Interest due trust funds | 245,411 46 |
| Outstanding State certificates | 47,000 00 |
| | <hr/> |
| | 401,761 46 |
| In addition to the above, the interest on the bonded debt falling due in November, 1868, amounted to | \$64,575 00 |
| Making a total of | <hr/> |
| | 466,336 46 |

which had to be provided for at once, and before the revenue for the year 1868 could be collected.

The rate of taxation for the year mentioned was three-tenths of one per cent., and the revenue derived therefrom was not sufficient to meet the actual expenses of the State government, including interest on bonded debt and interest upon trust funds already due and accruing. These are, doubtless, the reasons for authorizing the issue of bonds last mentioned. Legislature largely republican.

6. The State, as trustee for the "sixteenth section fund," received during the war the sum of \$185,121.44 belonging to this fund, which was used for general purposes.

The entire amount of trust funds received by the State from the General Government has been assumed in perpetuity, and the interest thereon is provided for by direct taxation upon the people of the State. Upon this subject special attention is invited to auditor's report, September 30, 1869, (pp. 15 to 21,) herewith transmitted, marked A.

7. The State has not been subjected to any loss from defalcation or fraud. It is reported that the late governor, William H. Smith, (republican,) indorsed the bonds of the Alabama and Chattanooga Railroad Company to amount of \$580,000 in excess of the indorsement to which the road was actually entitled under the law. The State has not, as yet, suffered any loss on this account, and the entire subject is under investigation.

8. The entire State assessment for 1860 was \$817,186.52. County tax not exceeding 100 per cent, on State tax in each county. The entire State assessment for 1870 was \$1,325,244.10. County tax not exceeding 100 per cent, on State tax in each county.

9. The average cost of conducting the State government :

| | |
|--|--------------|
| For the years 1858, 1859, and 1860 | \$800,969 00 |
| For the years 1868, 1869, and 1870 | 1,107,080 00 |

10. The following are mentioned as some of the reasons for the increase :

First. In 1858, 1859, 1860 the "school fund" consisted only of the interest on the trust funds, while during the years 1868, 1869, 1870 one-fifth of the annual aggregate revenue and the entire amount received from "poll-tax" was, in addition to interest on trust funds, devoted to the maintenance of free public schools. (Over \$250,000 of the increase is accounted for in these items.) The increase in the number of children required this action in order to make the school fund serviceable and effective.

Second. The *interest* upon the bonded debt has necessarily increased, as the *debt* is greater.

Third. The expenses incurred in payment of interest upon the bonded debt due in London have been increased by advance in premium on gold, sterling exchange, &c.

The general expenses of conducting the State government for 1868, 1869, 1870 will compare favorably with the same expenses for the years 1858, 1859, 1860.

11. No material changes were made in the manner of conducting elections from 1861 to 1865. Qualified electors were allowed to vote while serving in the confederate army during the war, under laws similar to those passed by many of the Northern States.

The constitutional convention of 1867 changed the election laws by extending the right of suffrage, to comply with the amendments to the Constitution of the United States.

The election law of 1868 provided for a registration of all electors by an "assistant registrar" in each county. After completing the registration in his county the assistant registrar was required to deposit in the office of the judge of probate a duplicate list of the voters registered, and forward the original list to the secretary of state. The judge of probate was required to attend to subsequent registration in his county, forwarding a certified list every three months to the secretary of state of the persons registering in his office.

The law requires publication of list of voters (to be conspicuously posted in each precinct, &c.) twenty days before any general or special election, and directs the judge of probate to rectify all errors, &c., of which due proof may be given to him.

The law also provides that any registered voter offering to vote at any election shall be allowed to do so without challenge or objection, and fixes penalty for illegal voting, &c.

12. The necessity for registration, in order to secure a fair election, is generally conceded.

It was believed that unfair advantage would be taken of the right to "challenge," and that persons so disposed could, by challenging every elector who presented himself at the polls, consume so much of the time on the day of election as to prevent a full and fair vote from being polled.

13. It is not believed that the changes in the laws for conducting elections have given rise to unfairness or frauds.

The foregoing is respectfully submitted, with the remark that the statements made are taken entirely from official records and reports, so far as they relate to the financial condition of the State for the years mentioned, and from pamphlet acts regarding the election laws, &c.

The contingent liability of the State on the 30th September, 1871, on account of bonds indorsed for railroad companies, amounted in the aggregate to \$15,420,000. This indorsement was made under acts passed in 1867 (legislature democratic) and in 1870, (legislature republican.)

The above amount includes \$2,300,000 of State bonds issued for railroad purposes to the Alabama and Chattanooga Railroad Company, and the Montgomery and Eufaula Railroad Company, the said companies agreeing to pay interest as it becomes due, and principal at maturity.

This contingent liability becomes a debt only upon the failure of the railroad companies to provide for the same.

Up to this time the State treasury has not been called upon to make any payment on account of this liability.

I certify that the foregoing statements were compiled from records of the auditor's office.

W. R. NOBLE,
Chief Clerk.

I have carefully examined the foregoing, and find it to be correct.

R. M. REYNOLDS,
Auditor of Alabama.

Hon. JOHN POOL,
Chairman Sub-Committee, &c., Washington, D. C.

Jacksonville, Pensacola and Mobile Railroad.

NEW YORK, February 8, 1872.

SIR: I have the honor to announce the receipt of your favor of 6th January, addressed to me as vice-president of the Jacksonville, Pensacola and Mobile Railroad Company, in which you say the sub-committee (on laws and finances of States and cities) of the Joint Select Committee to inquire into the Condition of the late Insurrectionary States would be much obliged if I would furnish them with the facts showing the present condition of the Jacksonville, Pensacola and Mobile Railroad.

Permit me to say in reply that I ceased to be vice-president and director in the above-named road early last summer, and I am, therefore, unable to give you reliably the information called for in your first question. My impression, however, is that there are now completed two hundred and sixty miles of the road, viz:

| | Miles. |
|-------------------------------------|--------|
| From Jacksonville to Quincy | 189 |
| From Quincy to Chattahoochee..... | 22 |
| From Tallahassee to St. Mark's..... | 21 |
| Monticello Branch | 4 |
| Live Oak Branch | 24 |
| Total in all..... | 260 |

I know nothing whatever of the "road under way," nor "when it will be completed." The distance from Quincy to Mobile I am also unable to give you, but I think it is in the neighborhood of two hundred miles.

The State aids the road to the extent of \$16,000 per mile, by an exchange of the State bonds for the first-mortgage bonds of the railroad.

If, therefore, my estimate of the length of the road be correct, the company would be entitled to receive from the State upon the completion of its road to Mobile bonds of the State to the extent of \$7,000,000.

I know nothing whatever of the railroad from Amelia Island to Tampa Bay.

Your letter would have been answered before but for my absence from the city.

I am, sir, respectfully, yours,

S. W. HOPKINS.

Hon. JOB E. STEVENSON, M. C.,
Washington, D. C.

Statement of Governor Conley.

EXECUTIVE DEPARTMENT, STATE OF GEORGIA,
Atlanta, Georgia, November 9, 1871.

SIR: In answer to your inquiries submitted to this department, under cover of your communication of the 9th of October last, I have the honor to state as follows:

1st. The actual indebtedness of the State of Georgia in 1861 was, on the 20th of October, \$3,688,750. On the 16th October, 1865, the actual debt of the State in bonds and Treasury notes of all kinds was \$20,811,226.85, but of this amount all was repudiated as having been contracted in aid of the rebellion, except the sum of \$5,706,500; so that on the 16th October, 1865, the public debt should be put down \$5,706,500.

The present State government was organized on the 22d July, 1868; that is the date of Governor Bullock's inauguration. There seems to be no means of ascertaining the State's indebtedness at that precise date.

2d. The State was not responsible collaterally as indorser or otherwise for any amount in 1861.

3d. The State had no prospective liabilities, such as are suggested in third inquiry, in 1861.

4th. No part of the increased indebtedness since 1865 has arisen from any collateral responsibility of 1861, "as indorser or otherwise," and no part of the increase of said indebtedness has arisen from any contingent or prospective liability of 1861. It is presumed that very little, if any, increase in the public debt since 1865 has arisen from any accrued interest unpaid on the old debt, nor has it increased from any loss during the rebellion of public funds, dedicated to specific purposes.

5th. The answers to the fourth inquiry renders any answers to the fifth and sixth inquiries unnecessary.

7th. There have been no such losses by the State since 1865.

8th. The county taxation in this State varies each year according to the necessities and exigencies of each county; there was not in 1860, and there is not now, any uniformity in the county taxes. The State tax in 1860 was 6½ cents on \$100, and in 1870 it was 40 cents on the same amount. This increase was occasioned by the following reasons: In 1860 the amount raised by the general tax was \$500,000, and in 1870 only the same amount was raised; but in 1860 the amount of taxable property was \$672,322,777, while in 1870 the amount of taxable property was only \$210,602,211. In 1860 the \$500,000 raised by the general tax bill, and the amount raised by the poll-tax, tax on professions, shows, and exhibitions, and on liquors, together with the earnings of the Western and Atlantic Railroad, which amounted to about \$450,000 per annum, all went into the general fund, and the expenses of the government were paid out of this fund. In 1870 the fund raised by the tax of 40 cents on each \$100 was the only fund out of which the expenses of the government could be paid, the amount raised by the specific tax, that is, the tax on polls, professions, &c., together with one-half of the net earnings of the Western and Atlantic Railroad, being reserved for educational purposes.

9th. The cost of conducting the State government in 1858 was \$745,480.64; in 1859, it was \$874,465.92; in 1860, \$1,179,110.24, being an average per annum of \$933,018.93.

The cost of conducting the State government in 1868 was \$702,103.33; in 1869, it was \$1,857,825.98; in 1870, \$1,444,816.73, being an average per annum of \$1,334,915.34.

10th. The increase in the expenses of the government from 1860 to 1870 is attributable to various causes: 1st, to the increase of the public debt and the consequent increase of the interest payable annually thereon, amounting to nearly \$200,000. 2d, to the increase in the *per diem* pay and mileage of the members of the legislature, the mileage in 1868 being \$4 for every twenty miles, and the *per diem* \$6. In 1865 the mileage was increased to \$5 for every twenty miles, and the *per diem* to \$9, which is continued to this time. This increase was made by a legislature which was entirely demo-

cratic. 3d, to the fact that in 1867 and 1868, the constitutional convention was in session for three or four months, and the legislature was in session for about the same time during the year 1868, the constitutional convention being the only assembly which was in the control of republicans. 4th, to the increase of the judicial and civil officers of the State, and to the natural increase in the expenses of the government, arising from the enfranchisement of the colored people, thereby nearly doubling the citizenship of the State since 1860.

11th. There were no material changes made in the manner of conducting elections from 1861 to the surrender in 1865, and no *permanent* changes from the surrender to the inauguration of Governor Bullock. His election, and the election for the ratification of the present State constitution, and for members of Congress in the spring of 1868, were ordered and conducted by authority of the military, Major General Meade commanding. Since that time there have been but two general elections in Georgia, the presidential election in November, 1868, and that which occurred on the 20th, 21st, and 22d of December, 1870. This last election was held under a special act of the legislature, which act ceased to be of force after this election. The act was an experiment and was passed by the republicans to ascertain if an election could be held in Georgia at which the colored people could have a fair and honest chance of selecting their own representatives. The main features were as follows: The election continued for three days instead of one; it was to be held only at the court-house in each county, and at each incorporated town or city, instead of at each election precinct; it was to be conducted by three election managers selected by the governor, and two selected by the ordinary of the county, all subject to the approval of the senate. All voters were exempt from challenge. The sheriff and coroners were required to be at the polls to preserve the peace. The managers were sworn not to prevent any person from voting who was of apparent age, was a resident of the county, and who had not previously voted, and all illegal voters were held amenable to the laws.

12th. All these changes were made: 1st. That every voter should have ample time for voting. 2d. That all the votes being cast at the same place, "repeating" might be prevented, and the colored people, being thrown together, might have the moral and numerical strength supporting them sufficient to enable them to vote as they desired. 3d. The selection of managers by the governor and ordinaries was to secure good and true men to superintend the election; who would prevent frauds and protect all men in their right of voting. 4th. Exemption from challenge was to avoid a difficulty which had occurred at the election for governor and President, where the colored men were regularly challenged as they came forward to vote, and were thus greatly delayed, and, in many cases, prevented from voting, while the whites were never challenged, and were thus enabled to poll their votes without delay, and thus secure their full strength. The effect of this was very damaging to the republicans, especially at the presidential election, as, at that election, there was a box for colored men and a box for the whites. Exemption from challenge was also to enable every one to vote, whether they had paid their taxes or not. In the presidential election General Grant lost at least forty thousand votes, by excluding colored men from voting who had not paid their taxes, notwithstanding Governor Bullock had issued his proclamation suspending their collection, as he had a right by law to do.

13th. This election law did not give rise to any unfairness, but it was made the pretext, by the democrats, for perpetrating the grossest wrongs on the colored people and the republican party, by which their candidates were defeated in counties where they had majorities ranging from two hundred and fifty to two thousand votes, and in which a large majority of democrats were returned to the legislature. One of the means adopted by the democratic leaders was to assail the constitutionality of the law allowing persons to vote who had not paid their taxes. All such they challenged or threatened with criminal prosecutions, and, in one instance, where such persons were allowed to vote, a warrant was sued out against the managers, and three of them were actually put in jail. This means of defeating the objects of the bill was advised by two of the most prominent leaders of the democratic party in Georgia, only a few days before the election. It was published throughout the State, and in nearly every county the advice was acted on at the polls. It succeeded admirably, for it drove off the colored men and so intimidated the managers that they refused to allow the colored men who had not paid their taxes to vote, and the whites were seldom if ever challenged on this or any other ground. All this in the face of a law which had just been passed by the legislature, declaring the collection of the poll-tax (which was, with a few exceptions, the only tax paid by the colored people) unconstitutional. By this means, with other frauds such as are usually practiced by democrats when they have the opportunity and dare to perpetrate them, the last election was carried against the republicans. At least one member of the present Congress, viz, the Hon. D. M. Du Bose, from the fifth Georgia congressional district, owes his election to these practices. Could a fair expression of the legal voters of Georgia be obtained, the majority in favor of the republicans, in the State, it is believed would be twenty thousand; but under present circumstances this cannot be obtained, because republicans, and in the rural districts

especially, do not have the protection of the Government in their political rights. The State government cannot afford it, and the General Government has not. Every sentiment of loyalty to the Government is overawed and suppressed by the domineering and intolerant spirit of the democracy, or suppressed by the more potent arm of the Ku-Klux Klan.

[SEAL.]

BENJAMIN CONLEY,
Governor.

By the Governor :

R. H. ATKINSON,

Secretary Executive Department.

Hon. JOHN POOL, *Chairman Sub-Committee.*

EXECUTIVE DEPARTMENT, STATE OF GEORGIA,
Atlanta, Georgia, December 2, 1871.

SIR: In answer to the additional interrogatories submitted by your committee to this department, in your communication of 22d November, I have the honor to reply,

1st. I have no means of ascertaining the exact amount of the State debt on the 19th day of January, 1861, the date of Georgia's secession, but on the 20th day of October, 1860, as appears by the comptroller general's report of that date, the State debt was \$2,670,750. The comptroller general's report of 20th October, 1861, shows the public debt to have been at that date \$3,688,750; of this amount \$330,000 was for State defense.

2d. The expenses of the State government for the year 1865, as appears by the report of the comptroller general, made on the 16th of October, 1865, was \$11,573,605.01, but as nearly the whole of this expenditure was in confederate money, the "items" are supposed to be unnecessary. The State expenses for the year 1866 were \$1,884,995.62, as appears by the following extracts from the comptroller general's report of the 16th of October, 1866, viz :

| | |
|---|--------------|
| On account of provisional government..... | \$4,545 50 |
| On account of civil establishment, 1864..... | 2,250 00 |
| On account of civil establishment, 1865..... | 55,226 07 |
| On account of civil establishment, 1866..... | 52,765 34 |
| On account of contingent fund, 1866..... | 22,325 04 |
| On account of printing fund, 1866..... | 21,053 40 |
| On account of subscription to Atlantic and Gulf Railroad..... | 134,500 00 |
| Pay of officers and members convention, 1865..... | 45,396 35 |
| Pay of officers and members legislature, 1865-'66..... | 174,266 00 |
| Pay of interest on public debt..... | 4,035 00 |
| Temporary loans..... | 643,438 82 |
| Penitentiary, repairs and support of..... | 18,000 00 |
| Penitentiary, salaries of officers..... | 3,950 00 |
| Academy of the Blind, support of, 1865..... | 2,500 00 |
| Academy of the Blind, support of, 1866..... | 7,000 00 |
| Academy of the Blind, roofing building..... | 2,500 00 |
| Lunatic Asylum, to pay liabilities, 1865..... | 20,000 00 |
| Lunatic Asylum, salary superintendent, 1865..... | 1,875 00 |
| Lunatic Asylum, to pay outstanding liabilities, 1865..... | 3,375 00 |
| Lunatic Asylum, to pay officers, 1866..... | 9,000 00 |
| Lunatic Asylum, support pauper patients, 1866..... | 38,000 00 |
| Lunatic Asylum, salary resident physician, 1866..... | 1,250 00 |
| Georgia University, support of..... | 4,000 00 |
| Repairs on executive mansion..... | 19,961 70 |
| Repairs on state-house and grounds..... | 5,031 50 |
| Repairs Western and Atlantic Railroad..... | 383,724 40 |
| Pay of finance committee, ordered by convention..... | 1,000 00 |
| Pay of finance committee to prepare freedmen's code..... | 500 00 |
| Purchase of corn for indigent poor..... | 190,000 00 |
| Miscellaneous appropriations..... | 13,520 50 |
| Total..... | 1,884,995 62 |

3d. The expenses of the State government for the year 1867 were \$2,689,363.85. During the year 1867 there was no meeting of the legislature, and no report was made by the comptroller general, but the above amount is the aggregate of the disbursements of the treasurer, as appears from the books of the comptroller general. The following are the items taken from the books of the comptroller general's office, and constitute

the expenditures for the fiscal year commencing the 16th day of October, 1866, and ending the 15th day of October, 1867 :

| | |
|-----------------------------|---------------------|
| Contingent fund..... | \$20,379 44 |
| Printing fund..... | 16,934 55 |
| Special appropriations..... | 867,841 75 |
| Civil establishment..... | 76,939 49 |
| Temporary loans..... | 412,898 36 |
| Public debt..... | 1,290,263 84 |
| Overpayments..... | 4,106 42 |
| Total..... | <u>2,689,363 85</u> |

4th. The expenses of the State government for the year 1860, the aggregate amount of which has already been furnished, was taken from the comptroller general's report for that year. The items of expenditure are as follows :

| | |
|--|---------------------|
| On account of civil establishment, 1859..... | \$17,370 66 |
| On account of civil establishment, 1860..... | 52,073 62 |
| Contingent fund, 1859..... | 6,907 33 |
| Contingent fund, 1860..... | 4,730 32 |
| Census-takers, 1859..... | 5,222 07 |
| Educational fund, 1859..... | 149,565 00 |
| Overpayments, 1860..... | 5,905 18 |
| Printing fund, 1859..... | 5,274 15 |
| Printing fund, 1860..... | 22,970 25 |
| Atlantic and Gulf Railroad..... | 250,000 00 |
| Members and officers legislature, 1859..... | 115,849 96 |
| Redemption public debt due..... | 32,560 00 |
| Redemption public debt not due..... | 117,000 00 |
| Interest public debt..... | 204,732 10 |
| Deaf and Dumb Asylum, support, 1860..... | 8,000 00 |
| Lunatic Asylum, pauper patients..... | 16,920 62 |
| Lunatic Asylum, salary superintendent..... | 2,250 00 |
| Lunatic Asylum, salary officers and servants..... | 10,000 00 |
| Lunatic Asylum, brick and wall around buildings..... | 3,000 00 |
| Lunatic Asylum, commissioner of buildings..... | 459 00 |
| Lunatic Asylum, completion of buildings..... | 3,000 00 |
| Penitentiary, for buildings..... | 15,000 00 |
| Penitentiary, for provisions..... | 5,000 00 |
| Penitentiary, chaplain's salary..... | 150 00 |
| Academy for Blind, support of pupils..... | 6,000 00 |
| Academy for Blind, completion of buildings..... | 10,000 00 |
| Academy for Blind, furniture..... | 4,000 00 |
| Georgia Military Institute, support of cadets..... | 2,000 00 |
| Georgia Military Institute, superintendent's salary..... | 2,500 00 |
| Georgia Military Institute, Professor Brumly's salary, 1859..... | 1,500 00 |
| Georgia Military Institute, pay of trustees, &c..... | 550 00 |
| Purchase of arms for State..... | 42,801 73 |
| Howell Cobb's book of forms..... | 12,000 00 |
| Salaries of codifiers and clerks..... | 10,350 00 |
| Other miscellaneous appropriations..... | 33,648 25 |
| Total..... | <u>1,179,110 24</u> |

5th. The date of the first valuation of property in Georgia after the war was about 1st of June, 1866, and the total value of the property at that date, as appears by the report of comptroller-general, on 16th October, 1866, was \$222,183,787.

In conclusion, I regret that I cannot furnish the reports from which the facts set forth in this communication are obtained. All the comptroller general's reports before the war seem to have been destroyed, only an occasional copy being found. Reports since the war are likewise scarce. There was no report of the comptroller general in 1867, and the items of expenditures for that year are taken from the books in the comptroller general's office, as before stated.

All of which is most respectfully submitted.

BENJAMIN CONLEY,
Governor.

HON. JOB E. STEVENSON,
Acting Chairman of Sub-Committee, &c., Washington, D. C.

Letter of the auditor of Mississippi.

OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
Jackson, Mississippi, November 27, 1871.

SIR: In answer to the inquiries propounded by the "Joint Select Committee to inquire into the condition of the late insurrectionary States," dated Washington, District of Columbia, October 9, 1871, I would beg leave to submit the following answers to said inquiries:

Answer to first inquiry.—The indebtedness of this State, as far as can be ascertained, on July 1, 1861, was \$820,767.52. This amount does not give the full indebtedness of the State at the above-mentioned date, as I could not obtain from the treasurer the amount of outstanding or unpaid warrants.

The indebtedness at the date of the surrender, in 1865, amounted to \$919,767.93. This amount does not include the outstanding or unpaid warrants, as none were recognized, as per act of the legislature held in 1865. The indebtedness at the date of organization, under the reconstruction acts, amounted to the sum of \$1,177,339.46. The indebtedness on the 1st January, 1871, amounted to the sum of \$1,791,971.30. This amount includes common school fund, due the several counties, \$206,351.02; also, amount of certificates of indebtedness issued under act approved June 13, 1870, \$418,000.

Answer to eighth inquiry.—The amount of county taxation for 1860 and 1870 varied in each county of the State, and is shown by the tabular statements herewith.

Answer to ninth inquiry.—The cost of conducting the State government for the year 1858 was \$416,843.66; for the year 1859, \$424,943.31, and for the year 1860, \$517,491.94. Interest on Chickasaw school-fund, due the several Chickasaw counties, is not included in the amount of expenses of government for the years 1858, 1859, and 1860.

The cost of conducting the State government for the year 1868 was \$438,113.74; for the year 1869, \$352,881.65, and for the year 1870, \$942,662.42. Interest on Chickasaw school-fund, due the several Chickasaw counties, is not included in the amount of expenses of government for the years 1868, 1869, and 1870.

A large amount of the expenses of the State government for the year 1870 was occasioned by the expenses of the legislature, appropriations for repairs on State capitol, Lunatic Asylum, and executive mansion, and special executive contingent fund. These five items amounting in the aggregate to the sum of \$401,914.18.

Very respectfully, your obedient servant,

Auditor Public Accounts.

His Excellency JAMES L. ALCORN,
Governor of Mississippi.

County taxes assessed and collected in the several counties of the State of Mississippi for the fiscal year 1860.

| Counties. | Rate per cent. on State tax. | Counties. | Rate per cent. on State tax. |
|-----------------|---------------------------------|------------------|---------------------------------|
| Adams | None reported. | Itawamba | 150 |
| Amite | None reported. | Jackson | 140 |
| Attala | 75 | Jasper | 50 |
| Bolivar | 53 | Jefferson | 70 |
| Calhoun | 175 | Jones | 200 |
| Carroll | 60 | Kemper | 125 |
| Chickasaw | 75 | La Fayette | 125 |
| Choctaw | 100 | Lauderdale | 95 |
| Claiborne | 110 | Lawrence | 110 |
| Clarke | None reported. | Leake | 100 |
| Coahoma | 135 | Lee | 200 |
| Copiah | 125 | Lowndes | 50 |
| Covington | 125 | Madison | 75 |
| De Soto | 60 | Marion | 110 |
| Franklin | 75 | Marshall | 50 |
| Greene | None reported. | Monroe | 100 |
| Hancock | 150 | Neshoba | 85 |
| Harrison | 150 | Newton | 85 |
| Hinds | 120 | Noxubee | 110 |
| Holmes | 64½ | Oktibbeha | 100 |
| Issaquena | 100 | Panola | 60 |

County taxes assessed and collected in the several counties of the State of Mississippi for the fiscal year of 1860.—Continued.

| Counties. | Rate per cent. on State tax. | Counties. | Rate per cent. on State tax. |
|--------------------|---------------------------------|------------------|---------------------------------|
| Perry | 141 | Tishomingo | 80 |
| Pike | 150 | Tunica | 150 |
| Pontotoc | 37 $\frac{1}{2}$ | Warren | 200 |
| Rankin | 75 | Washington | 36 |
| Scott | 105 | Wayne | 325 |
| Simpson | 125 | Wilkinson | 125 |
| Smith | 115 | Winston | 75 |
| Sunflower | 50 | Yalabusha | 90 |
| Tallahatchie | 105 | Yazoo | 33 $\frac{1}{2}$ |
| Tippah | 100 | | |

County taxes assessed and collected in the several counties of the State of Mississippi for the fiscal year 1870.

| Counties. | Rate per cent. on State tax. | Counties. | Rate per cent. on State tax. |
|------------------|---------------------------------|--------------------|---------------------------------|
| Adams | 285 | Lee | 230 |
| Alcorn | 200 | Lincoln | 250 |
| Amite | 320 | Lowndes | 286 |
| Attala | 200 | Madison | 300 |
| Benton | 272 | Marion | 375 |
| Bolivar | 225 | Marshall | 230 |
| Calhoun | 340 | Monroe | 280 |
| Carroll | 233 $\frac{1}{2}$ | Neshoba | 291 $\frac{2}{3}$ |
| Chickasaw | 215 | Newton | 365 |
| Choctaw | 350 | Noxubee | 270 |
| Claiborne | 265 | Oktibbeha | 400 |
| Clarke | 300 | Panola | 100 |
| Coalhoma | 125 | Perry | 175 |
| Copiah | 295 | Pike | 290 |
| Covington | 400 | Pontotoc | 200 |
| De Soto | 142 $\frac{1}{2}$ | Prentiss | 180 |
| Franklin | 200 | Rankin | 295 |
| Greene | 160 | Scott | 285 |
| Grenada | 380 | Simpson | 280 |
| Hancock | 175 | Smith | 100 |
| Harrison | 100 | Sunflower | 150 |
| Hinds | 225 | Tallahatchie | 220 |
| Holmes | 253 $\frac{1}{2}$ | Tippah | 260 |
| Issaquena | 800 | Tishomingo | 200 |
| Itawamba | 200 | Tunica | 101 |
| Jackson | 100 | Union | 175 |
| Jasper | 100 | Warren | 333 $\frac{1}{3}$ |
| Jefferson | 400 | Washington | 240 |
| Jones | 125 | Wayne | 100 |
| Kemper | 185 | Wilkinson | 650 |
| La Fayette | 150 | Winston | 125 |
| Lauderdale | 440 | Yalabusha | 150 |
| Lawrence | 300 | Yazoo | 300 |
| Leake | 244 | | |

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
Jackson, Mississippi, February 6, 1872.

SIR: Inclosed herewith please find statement of taxable property in the State of Mississippi, as requested per your favor of January 3.

I regret that this information could not have been earlier forwarded, but the press of business incident upon the session of the legislature, and the amount of labor

required to furnish said statement, have prevented, sixty-nine assessment rolls having to be examined before the information could be properly given as requested.

Yours, very respectfully,

H. MUSGROVE,
Auditor Public Accounts.

Hon. JOB E. STEVENSON, M. C.,
Washington, D. C.

Statement showing estimate of value of taxable property in the State of Mississippi for the fiscal years 1866, 1870, and 1871.

| | |
|--|--------------------|
| Estimated value of taxable property for the fiscal year 1866..... | \$134, 131, 128 00 |
| This amount does not include the cotton tax of 1866, of \$1 per bale on 157,500 bales. | |
| Rate of taxation for State tax of 1866 was one-tenth of one per cent., or one mill on the dollar. | |
| Estimated value of the taxable property for the fiscal year 1870..... | 160, 000, 000 00 |
| Rate of taxation for State tax of 1870 was five-tenths of one percent., or five mills on the dollar. | |
| Estimated value of taxable property for the fiscal year 1871..... | 150, 000, 000 00 |
| Rate of taxation for State tax of 1871 was four-tenths of one percent., or four mills on the dollar. | |

Letter of Mr. Battle.

RALEIGH, November 15, 1871.

SIR. At the request of Hons. Messrs. Shober, Waddell, and Manning, I forward to you answers to the printed questions inclosed.

The time allowed me for preparation is short, but I hope I am substantially accurate. The facts and figures are taken from official documents. Where I give an opinion only, it so stated.

Truly, yours,

KEMP P. BATTLE.

Hon. J. B. BECK, M. C.

| | |
|---|---------------------|
| <i>Answer to question 1.</i> —1. On 1st of July, 1861, the debt of North Carolina was | \$9, 699, 500 |
| 2. At the surrender, in 1865, interest unpaid on this amount was, in round numbers, (exact amount unknown)..... | 1, 200, 000 |
| Total debt recognized July 1, 1865..... | <u>10, 899, 500</u> |

To which ought to be added, in whole or in part, \$717,000, bonds to railroad companies during the war, under acts passed before, but they are omitted because the general assembly, since the war, has failed to recognize them.

| | |
|--|---------------------|
| <i>War bonds.</i> —At the surrender, in 1865, there were outstanding, issued for "ways and means of defense," and "payment of confederate tax," in bonds and treasury notes..... | \$18, 117, 836 |
| These were declared illegal by the conventions of 1865-'66. | |
| The State treasurer reports that the debt was, on October 1, 1870..... | 28, 772, 045 |
| This, however, was only the principal; adding interest due and unpaid up to January 1, 1871, and we have a total of..... | 32, 455, 205 |
| The above report, however, does not state all the facts the sub-committee seem to desire to know. If the legislation of the convention of 1858, and of the general assembly of 1868-'69, had been carried into effect, the result would have been a State debt on January 1, 1871, of..... | <u>42, 000, 000</u> |

As appears from the following statement:

| | |
|---|--------------------|
| Debt at the inauguration of the State government under the reconstruction acts..... | 15, 799, 943 |
| Increase by convention of 1865: | |
| For Chatham Railroad Company..... | \$1, 200, 000 |
| Williamston and Tarborough Railroad Company..... | 150, 000 |
| Western Railroad Company..... | 500, 000 |
| | <u>1, 850, 000</u> |

Besides, the convention directed a State indorsement of \$1,000,000 for the Wilmington, Charlotte and Rutherford Railroad Company, which will probably fall on the State.

| | |
|---|----------------|
| Increase by the general assembly : | |
| For Williamston and Tarborough Railroad Company..... | \$300, 000 |
| For Chatham Railroad Company..... | 2, 000, 000 |
| Western North Carolina Railroad Company..... | 7, 000, 000 |
| Wilmington, Charlotte and Rutherford Railroad Company.... | 4, 000, 000 |
| Northwestern North Carolina Railroad Company..... | 1, 440, 000 |
| Western (coal field) Railroad Company..... | 1, 500, 000 |
| Atlantic, Tennessee and Ohio Railroad Company..... | 2, 000, 000 |
| Eastern and Western Railroad Company..... | 2, 000, 000 |
| Edenton and Suffolk Railroad Company..... | 850, 000 |
| University Railroad Company..... | 300, 000 |
| | <hr/> |
| | \$21, 390, 000 |

Provision was, however, made to retain in the treasury \$2,100,000 of the above bonds, to secure payment by the companies of \$720,000, interest in cash or coupons—the first year, \$360,000; the second year the provision was not complied with, except to a limited extent, so that, in round numbers, the effect was to reduce the debt about \$2,000,000—say nothing of \$19,390,000 of increase.

| | |
|--|--------------|
| So that it appears that the legislation of the convention of 1868 and the general assembly or 1868-'69 was designed to increase the debt of the State directly to..... | 37, 039, 945 |
| Or, adding interest, in round numbers, to January 1, 1871..... | 42, 000, 000 |

An act was likewise passed by the general assembly of 1868-'69, providing for resumption of payment of interest on the public debt, and as the expense of the State government had been increased, as hereafter shown, to \$500,000, at least, per annum, the taxation on a total valuation of real and personal property of \$120,000,000 would have been about 2½ per cent. for State purposes alone; for State and county purposes, 3 to 3½ per cent., (in some counties,) and for State, county, and city purposes, (in some cities and towns,) 4 to 4½ per cent. As some counties owe old debts, created for building railroads, the stock of which is nearly worthless, and are being pushed for payment in the courts, the taxation necessary to meet all these demands would have been even higher.

An abortive effort was made by the general assembly of 1868-'69 to pay interest on the public debt. The result was to pay in cash \$111,123 for interest maturing October 1, 1868, after which no more interest was paid on the general public debt. Interest on the special-tax bonds to the amount of \$208,470 was paid likewise, after which the State treasurer, in compliance with a resolution ratified January 20, 1870, stopped payment of all interest.

But part of the above-contemplated debt was attached on the ground of unconstitutionality, and the result was that the following were declared void, either directly or by the reasoning of the opinion of the supreme court, viz :

| | |
|---|---------------|
| Chatham Railroad Company, second issue under act of assembly..... | \$2, 000, 000 |
| Eastern and Western Railroad Company | 2, 000, 000 |
| University Railroad Company | 300, 000 |
| Edenton and Norfolk..... | 850, 000 |
| | <hr/> |
| Total | 5, 150, 000 |

None of which are outstanding, except \$350,000, of numbers above 1,200, issued to the Chatham Railroad Company under act of assembly.

Moreover, by act passed by the general assembly of 1868-'69, ratified February 5, 1870, the officers of the railroad companies who had on hand unsold bonds were directed to return them to the treasury, to the end that they might be reissued under proper safeguards. Under this act the following were returned :

| | |
|--|---------------|
| By Atlantic, Tennessee and Ohio Railroad Company | \$1, 613, 000 |
| By Northwestern North Carolina Railroad Company | 1, 080, 000 |
| | <hr/> |
| Total | 2, 693, 000 |

The return of \$1,650,000 declared unconstitutional, issued to the Chatham Railroad Company, has already been mentioned.

Answer to question 2.—In 1861 the State was responsible as indorser for only \$300,000,

issued to the Cape Fear and Deep River Navigation Company, but, as the State had assumed this debt, it is stated as part of the \$9,699,500, mentioned in answer to question 1.

Answer to question 3.—In 1861 the State was prospectively liable, as far as can be ascertained, contingent on acts to be performed by the companies for which the debt was to be created, as follows:

| | |
|--|-----------|
| Wilmington, Charlotte and Rutherford Railroad Company..... | \$950,000 |
| Western (coal fields) Railroad Company per mile, on certain conditions.... | 10,000 |
| Western North Carolina Railroad Company | 2,802,000 |
| Albemarle and Chesapeake Canal Company..... | 200,000 |

Answer to question 4.—1. No part of the increase of debt, since 1865, arose from "collateral responsibility," above mentioned.

2. The increase from the contingent, or prospective responsibility, is as follows:

| | |
|---|-----------|
| Bonds to Wilmington, Charlotte and Rutherford Railroad..... | \$453,900 |
| Bonds to Northwestern North Carolina Railroad Company | 2,562,000 |
| Total..... | 3,015,900 |

3. From funding accrued interest:

| | |
|------------------------|-------------|
| By account, 1866 | \$2,417,000 |
| By account, 1868..... | 1,721,400 |
| Total | 4,138,400 |

The State has not attempted to replace any public funds lost by the war.

Answer to question 5.—The items of increase since 1865 are as follows, viz:

1. Wilmington, Charlotte and Rutherford Railroad Company bonds issued prior to the convention of 1868..... \$450,000

These bonds were issued in exchange for the same amount, delivered to the company in 1862, but not used. As they were issued to the company, under acts passed prior to 1861, and were for building the road, and, as they had not been paid out, the general assembly thought proper to authorize the exchange.

2. Western North Carolina Railroad bonds, dated July 1, 1866, October 1, 1866, July 1, 1867, and January 1, 1868..... \$2,220,000

This increase was for the purpose of completing the road through the Blue Ridge Mountains, to connect with the Tennessee line of railways, and was authorized by the general assembly prior to the war; in fact, arose from the provisions of the original charter of the company.

3. The debt created by funding part-due securities is as follows:

| | |
|-------------------------|-------------|
| Under act of 1866 | \$2,417,400 |
| Under act of 1868 | 1,721,400 |
| Total | 4,138,800 |

The increase following is under the authority of the convention of 1868, and the general assembly of 1868-'69, both which bodies were elected under the reconstruction acts.

4. Bonds issued to complete the Chatham Railroad, running from Raleigh, through the coal fields of Chatham, to Cheraw and Columbia, South Carolina, by the ordinance of convention of March 11, 1868..... \$1,200,000

For which 76 republicans and 5 conservatives voted, the convention consisting of 120 members.

By act of assembly, ratified August 15, 1868, chapter 14, there was authorized to be issued to the Chatham Railroad Company an additional appropriation of..... \$2,000,000

The reasons given for this appropriation were the necessity of developing the coal fields of the Deep River Valley, and of giving railroad facilities to the counties from Deep River to the South Carolina line.

Republicans voting for this act, 83; democrats voting for this act, 7, in both houses. *Williamston and Turborough Railroad Company.*—Under ordinance of convention, ratified August 17, 1868, this company was authorized to have, on condition of grading the road, \$150,000. The vote for this was, republican, 55; democrats, or conservatives, 3. The general assembly of 1868-'69, by act ratified August 17, 1868, authorized the issue

to this company of \$300,000, to enable the company to grade, &c., the road. Republicans for, in senate and house, 83; democrats, or conservatives, 7, in both houses.

Western (coal fields) Railroad Company. (A. J. Jones, president.)—By act ratified February 3, 1869, \$2,000,000 were authorized to be issued to this company. Republicans for, &c., 85; democrats, or conservatives, for, 8, in both houses.

Western North Carolina Railroad Company.—By act ratified January 29, 1869, eastern and western divisions, \$7,000,000. Republicans for, 79; conservatives and democrats for, 15, in both houses.

There were several acts in regard to this company; the above is the final result.

Atlantic, Tennessee and Ohio Railroad Company.—Act ratified February 3, 1869; \$2,000,000 appropriated. Republicans for, 63; conservatives and democrats for, 13, in both houses.

Act to authorize the construction of a railroad through the counties of Granville, &c., sometimes called Eastern and Western Railroad, ratified March 24, 1869. (Pronounced unconstitutional by the supreme court.) Vote in house of representatives: Republicans for, 40; conservatives and democrats for, 6. I cannot lay hands on the senate vote.

Edenton and Suffolk Railroad.—Act ratified April 8, 1869. Appropriates \$850,000. (Unconstitutional.) Republicans for, 63; conservatives and democrats for, 11, in both houses.

University Railroad.—Act ratified January 30, 1869. Appropriates \$300,000. (Unconstitutional.) Republicans for, 64; conservatives and democrats for, 9, in both houses.

Northwestern North Carolina Railroad Company.—Ratified February 3, 1869. Appropriates \$1,440,000 directly, and more on conditions. Republicans for, 75; conservatives and democrats for, 10, in both houses.

Wilmington, Charlotte and Rutherford Railroad Company.—Appropriates \$3,000,000. Act ratified January 29, 1869. Republicans for, 89; conservatives and democrats for, 15. The reason given for the above appropriations was the necessity to develop the resources of the State.

Penitentiary on Deep River.—\$100,000 issued. (Decided unconstitutional.) Republicans for, 80; conservatives and democrats for, 3, in both houses. Advocated on account of water-power convenient, centrality of position, &c.

Answer to question 6.—1. Sinking fund.—The commissioners reported December 5, 1860, \$457,000. This was invested in bonds of the State. During the war they were sold by the commissioners, and the proceeds reinvested in North Carolina State 8 per cent. bonds, issued during the war at a large profit.

Besides, during the war, the interest of this fund, and also dividends of railroad companies paid into the same, were likewise invested in North Carolina bonds, issued during the war. Since the close of the war this whole sinking fund, amounting to \$2,372,500, has been treated as valueless, the legislatures and the courts regarding the bonds as tainted with rebellion and void.

2. *Literary fund.*—For the support of common schools, stocks in bonds lost by the result of the war, repudiation of bonds of the State issued during the war, failure of debtors, &c., &c., \$1,047,100.

There were bonds of individuals, not of considerable amount, lost by the result of the war, but not by the default of the State officials or agents, say not exceeding.

The stock held by this fund, viz: Washington and Weldon Railroad Company, \$400,000; Wilmington and Manchester Railroad Company, \$200,000; Cape Fear Navigation Company, \$32,500, remained after the war, and were sold by authority of the general assembly of 1868-'69, through the board of education of 1863-'69, as follows:

| | |
|---|------------|
| Wilmington and Weldon Railroad stock, \$400,000, for..... | \$140, 000 |
| Wilmington and Manchester \$200,000, for..... | 10, 000 |
| Cape Fear Navigation Company, \$32,500, for..... | 3, 250 |

\$153, 250

Answer to question 7.—This question can only be satisfactorily answered by the report of committee on frauds, consisting of Attorney General Shipp and Messrs. J. G. Morton and J. B. Batchlor, appointed by the general assembly of 1870-'71, and who have been taking evidence since May, 1871.

It is admitted that from \$10,000,000 to \$12,000,000 have been lost by the mismanagement or wastefulness in unfortunate speculations of railroad officers.

Answer to question 8.—County taxation for 1860, \$564,833; county taxation for 1870, \$954,111. (The taxes of 9 counties of 1870 are estimated by averaging the rest, there being no return from them.)

Answer to question 9.—Average cost of conducting State government in 1858-'59-'60, excluding interest on public debt, \$137,977. Average cost for 1868-'69-'70, excluding interest, and \$74,000 for building penitentiary as being of a permanent nature, \$576,738.

Answer to question 10.—Part of the additional expense arose from the constitution of

1868 requiring more officers than the old constitution; part arose from higher salaries; part from extravagance in some of the officers; part from longer session of the general assembly, and larger per diem and mileage. In 1868 (in which year the expenses were less than the average, viz, \$408,941,) there was a convention held, and there was none in 1858-'60. In 1870 the militia cost \$74,742. There was no such expense in 1858-'60. The larger part of the increase was from high salaries, more officers, and wastefulness.

Answer to question 11.—There were no changes from 1861 to the surrender in 1865. None from the surrender to the inauguration of the present government; since, registration of voters is required. Another change was the forbidding challenges of voters on the day of election. A third was requiring all the candidates to be voted for in the same ticket and in the same box. The present general assembly has changed these two last particulars.

Answer to question 12.—1st. Registration was deemed advisable in order to prevent from voting those excluded from the right by recent amendments to the constitution.

2d. Republicans say it is right to prevent challenges on the day of the election, because, otherwise, colored people would be intimidated or excluded from voting by the delays caused by frequent challenges. The democrats say the object and effect were to increase the colored vote unfairly. Their exact ages are seldom known for obvious reasons, and it is charged that many under twenty-one years of age have voted; also that colored men have voted under different names.

3d. Republicans say that candidates should be voted for on the same ballot, in the same box, because the colored men are ignorant, and unable to read, and the chances of imposition are diminished. The other party contend that the object is to prevent them from choosing between candidates; that they considered themselves bound by their duties to the League and other causes to vote the republican ticket; and that they were taught by cunning party leaders that each ticket could not be altered.

Answer to question 13.—So far as my personal observation extends, I think that the effect of the foregoing changes has been to keep the colored people in a body and unwilling to vote for any but the regular nominees. In other words, they almost universally accepted a printed ballot—printed so as to be easily distinguished—and voted it without knowing, or caring to know, what names were on it; and I think it altogether probable that colored boys under twenty-one years of age have often voted.

DAVIDSON COLLEGE, November 21, 1871.

DEAR SIR: Before finishing the answers to the questions of the sub-committee, I received notice of the extreme sickness of the husband of a near relative, the Rev. Dr. Phillips, of this place. I deemed it proper to come here by the next train. Hence, I was compelled to complete my answer in great haste. In doing so, it occurs to me that I may have omitted to state that the University of North Carolina lost its indorsement of \$200,000 stock in the bank of North Carolina by the failure of the bank. This should be stated, because its omission would cause a charge of unfairness in my answer, which charge would not be true. I may have stated this. I had it in my mind to do so; but, for fear, I did not, I will thank you to examine the answer, and add the above if necessary.

I had no time to have my answer copied. If its details be printed, I will thank you for a copy; if not, I will thank you to have a copy made, at my expense, and forwarded to me at Raleigh.

Truly, yours,

KEMP P. BATTLE.

Hon. J. B. BECK,
Washington, D. C.

Letter of Hon. R. K. Scott.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, September 20, 1871.

SIR: The delay attending the preparation of this report has, to a great extent, been unavoidable, and while many may question the interference on the part of the General Government with the financial affairs of a State, I am not disposed to question either the authority or propriety of such action.

As there has been a persistent and seemingly systematic attempt to pervert and misrepresent the financial condition of South Carolina, I am gratified at the opportunity presented by your inquiries of dissipating errors and misrepresentations by a formal reply to a communication from such an authoritative source, and beg to submit the following:

Statement of public debt of the State of South Carolina.

| | |
|---|--------------------------|
| Amount of bonded debt that existed prior to the war..... | \$4,046,540 16 |
| Amount of issue of the bank of the State circulated previous to the war, State being liable therefor..... | 1,258,550 00 |
| Amount of accumulated claims against the State held by sheriffs, coroners, magistrates, charitable institutions, &c., incurred by previous administrations, and paid by the present State government..... | 435,227 00 |
| Amount of bills receivable redeemed by present administration, incurred by provisional government..... | 500,000 00 |
| Amount of past-due principal and interest, accruing during and after the war, to July 1, 1869, the time when the present State government commenced to collect taxes and pay interest..... | 1,922,122 94 |
| | <hr/> 8,162,440 10 <hr/> |

Bonded debt created by the provisional government.

| | |
|--|--------------------------|
| Bonds issued in funding past-due principal and interest under acts September and December, 1866..... | \$1,011,873 94 |
| Bonds issued for new State-house, act of December, 1866..... | 11,600 00 |
| | <hr/> 1,023,473 94 <hr/> |

Bonded debt created by present administration to provide for the payment of above liabilities, existing in 1868, viz :

| | |
|--|--------------------------|
| Bonds issued for redemption bills receivable, act of August, 1868..... | \$500,000 00 |
| Bonds issued for payment interest on public debt, act of August, 1868.. | 1,000,000 00 |
| Bonds issued for funding bills bank of State, act of September, 1868.... | 1,258,550 00 |
| Bonds issued for relief of the treasury, act of February, 1869..... | 1,000,000 00 |
| | <hr/> 3,758,550 00 <hr/> |
| Bonds issued for land commission, act of March, 1869..... | \$200,000 00 |
| Bonds issued for land commission, act of March, 1870..... | 500,000 00 |
| | <hr/> 700,000 00 <hr/> |

Recapitulation of bonded debt.

| | |
|---|--------------------------|
| Amount of bonded debt existing prior to the war..... | \$4,046,540 16 |
| Amount of bonds issued by provisional government..... | 1,023,473 94 |
| Amount of bonds issued by present administration..... | 4,458,550 00 |
| Total issue of bonds and stock..... | <hr/> 9,528,564 10 <hr/> |

| | |
|---|--------------|
| During the present fiscal year the bonded debt has been reduced by payment of bonds due July 1, 1871, amounting to..... | \$250,000 00 |
| Amount of bonds held by sinking fund..... | 100,000 00 |
| | <hr/> |

Statement of bonds and stocks issued by the State during the rebellion, outstanding October 1, 1866.

| | |
|---|--------------------------|
| Six per cent. bonds for military defense, issued under act of December, 1860; balance unpaid..... | \$239,200 00 |
| Seven per cent. bonds for military defense, issued under act of January, 1861..... | 191,150 00 |
| Seven per cent. stock for military defense, issued under act of December, 1861, to amend an act of January, 1861..... | 296,750 00 |
| Seven per cent. stock for military defense, issued under act of December, 1861..... | 1,514,710 00 |
| | <hr/> 2,241,840 00 <hr/> |

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Contingent liabilities of the State of South Carolina arising from the indorsement of railroad bonds.

| | |
|--|--------------|
| South Carolina Railroad bonds, payable in 1863, secured by first mortgage..... | \$93,312 40 |
| Northeastern Railroad bonds, payable March 1, 1869, secured by first mortgage..... | 92,000 00 |
| Charleston and Savannah Railroad bonds, payable in 1877, secured by first mortgage..... | 505,000 00 |
| Charleston and Savannah Railroad bonds, payable in 1889, secured by first mortgage..... | 245,750 00 |
| Spartanburgh and Union Railroad bonds, payable in 1878-'79, secured by first mortgage..... | 350,000 00 |
| Greenville and Columbia Railroad bonds and certificates of indebtedness, payable in 1881-'82-'83-'89, secured by first mortgage..... | 1,426,545 80 |
| Blue Ridge Railroad bonds under act of 1868..... | 4,000,000 00 |
| | <hr/> |
| | 6,712,608 20 |
| | <hr/> |

The original amount of indorsement for the South Carolina Railroad was \$2,093,312.40; \$2,000,000 of which has since been redeemed by the railroad company.

The indorsement of the Laurens Railroad amounted to \$15,000. This road has gone into bankruptcy, and the State is fully secured.

The Blue Ridge road is as yet unfinished, but in a rapid course of completion, and none of the bonds have yet been put on the market.

In the event of any of the above roads failing to meet the interest on the guaranteed bonds, the State is perfectly secure, from the fact that the iron alone on the roads would sell for more than sufficient to indemnify the State against any loss, were it put up at public auction.

Exhibit of taxes, State of South Carolina, for year 1860.

| Subjects of taxation. | Returns. | Rates of taxation. | Taxes. |
|---|-----------------|--------------------------------|--------------|
| Slaves.....number.. | 385,689 | \$1.26 per capita.. | \$366,404 55 |
| Free negroes.....do..... | 3,421 | \$3.00 per capita.. | 9,407 75 |
| Sales of goods, &c., by residents..... | \$26,388,861 00 | 22 cents per \$100.. | 47,499 94 |
| Sales of goods, &c., by transient persons..... | 8,331 00 | 90 cents per \$100.. | 62 48 |
| Professions, faculties, &c..... | 1,980,668 00 | 1 per cent..... | 13,468 54 |
| Lots in towns and villages..... | 31,333,873 00 | 22 cents per \$100 ad valorem. | 52,267 58 |
| Number of acres of land..... | 17,287,500 00 | | |
| Valuation of lands..... | 10,199,446 00 | | |
| Tax on lands..... | 82,615 51 | \$1.30 per \$100 ad valorem. | 82,615 51 |
| Taxable bank capital, &c..... | 13,278,225 00 | 40 cents per \$100.. | 46,473 79 |
| Insurance premiums..... | 466,944 00 | 1½ per cent..... | 6,303 74 |
| Gas-light stock..... | 706,700 00 | 40 cents per \$100 stock. | 1,908 09 |
| Interest, bonds and stock, in other States..... | 37,018 00 | 1 per cent..... | 370 18 |
| Arrears, double taxes, &c..... | 4,651 76 | | 4,651 76 |
| Total..... | | | 632,433 91 |

The above exhibit shows the revenue collected in 1860, in addition to which the following were subject to tax, from which no revenue appears to have been derived:

Circus and stage employments, \$20 per day.

Moneys at interest, one-tenth of 1 per cent.

Commercial agencies, \$1.50 on every \$100 of gross receipts.

Playing-cards, 13 cents per pack; billiard-tables, \$15.

Salaries over \$500, (except officers of the Army and Navy,) 1 per cent.

Valuation of slaves in 1860, about \$134,991,150.

| | |
|--|----------------|
| Amount of appropriations for 1860..... | \$1,546,078 32 |
| Interest on public debt, no provision having been made therefor..... | 223,027 31 |
| | <hr/> |
| | 1,769,105 63 |
| | <hr/> |

It will be observed that the appropriation exceeds the collection by over \$1,000,000. This deficiency was made up by the bank of the State.

Present subjects of taxation in State of South Carolina.

- Real estate.
 - Live stock.
 - Pianofortes, melodeons, or cabinet organs.
 - Pleasure-carriages, wagons, carts, and other vehicles.
 - Gold and silver watches; value of gold and silver plate.
 - Value of goods, merchandise, moneys, and credits pertaining to business as a merchant during the year or part thereof ending the 1st day of July.
 - Value of materials received, used, or provided to be used, in business as a manufacturer during the year or part thereof ending the 1st day of July.
 - Value of all machinery, engines, tools, fixtures and implements used, or provided for use, in business as a manufacturer during the year or part thereof ending the 1st day of July, and of all manufactured articles on hand one year or more previous to that date.
 - Value of moneys, including bank-bills and circulating notes.
 - Value of credits over legal indebtedness.
 - Value of investments in the stock of any company or corporation out of this State, except national banks.
 - Value of investments in bonds, except bonds of the United States and of this State expressly exempt from taxation.
 - Annual value of all leases except permanent leases.
 - Value of all other property, including household furniture.
- It will be observed that the system of collecting taxes has been entirely changed by the present administration, namely: instead of taxing specialties, as in the former plan, they are now levied *ad valorem*.
- In addition to the above subjects of taxation, the phosphate mining companies pay to the State a royalty of \$1 per ton for every ton of phosphatic rock or phosphatic deposit mined in the river and streams of the sea-board. (See acts Nos. 275 and 417.)

Statement of amount of taxes levied, amount collected, and appropriations made during years 1868, 1869, and 1870.

| | |
|--|----------------|
| Total taxation 1868: Rate of taxation, 7½ mills; county, 3 mills..... | \$1,338,742 19 |
| Total amount collected..... | 1,163,053 28 |
| Total appropriations for the year 1868, exclusive of interest on public debt, for which no appropriation was made..... | 817,968 28 |
| Total taxation 1869: Rate of taxation, State, 5 mills; county, 3 mills.. | 1,014,901 83 |
| Total amount collected..... | 766,736 08 |
| Total appropriations for the year 1869, including interest on public debt..... | 1,191,805 09 |
| Total taxation for 1870: Rate of taxation, State, 9 mills; county, 3 mills..... | 1,670,063 66 |
| Total amount collected..... | 1,146,037 08 |
| Total appropriations for the year 1870..... | 1,604,053 54 |
| Taxation for 1871: Rate, State, 7 mills; county, 3 mills. | |
| Taxes not yet levied or collected for this year. | |
| Regarding county debts, there are no means of ascertaining the amounts. | |

Reference to laws creating public debt.

An act to provide for the funding of the interest and principal of certain stocks and bonds of the State past due, approved September 21, 1866, and act supplementary thereto, approved December 20, 1866.

An act to authorize a loan to redeem certain obligations known as the "Bills receivable of the State of South Carolina." Act No. 13, page 17, approved August 26, 1868.

An act to authorize a State loan to pay interest on the public debt. Act No. 14, page 18, approved August 26, 1868.

An act to close the operations of the Bank of the State of South Carolina. Act No. 17, page 21, approved September 15, 1868.

An act to authorize a loan for the relief of the treasury. Act No. 102, page 182, approved February 17, 1869.

An act to provide for the appointment of a land commissioner and to define his powers and duties. Act No. 186, page 275, approved March 27, 1869.

An act to amend an act entitled "An act to provide for the appointment of a land commissioner and to define his powers and duties," and for other purposes therein mentioned. Act No. 278, page 385, approved March 1, 1870.

An act to "provide for the conversion of State securities." Act No. 159, page 241, approved March 23, 1869.

Much of the original debt of the State consisted of registered stock; both this stock and the old issue of bonds of the State, together with the bonds issued since the war, have been converted into these bonds by the holders under this act, the original stock and bonds having been returned to the treasury and canceled, leaving upon the market a more uniform class of bonds.

An act to create a debt of the State of South Carolina, to be known as the sterling funded debt; the same, or the proceeds thereof, to be exclusively used in exchange for or in payment of the existing public debt of said State. Act No. 377, page 616, approved March 7, 1871.

This loan was authorized by the legislature for the purpose of funding such portion of the debt due or coming due. Up to the present time it has not been found necessary to put any of this loan on the market. It is not intended in this act to enlarge, but simply to replace the existing State debt.

Other statutes requested.

An act providing for the assessment and taxation of property. Act No. 22, page 27, approved September 15, 1868. Amendments thereto, pages 301, 366, 619, 623.

An act to determine the manner of collecting taxes past due, assessed under the late provisional and military government of South Carolina. Act 189, page 300, approved December 16, 1869.

An act providing for the next general election and the manner of conducting the same. Act No. 69, page 138, approved September 26, 1868.

While the spirit and intent of this law was as honestly and fairly carried out as the election law in any other State, yet it must be admitted that an improvement can be made in the time fixed for counting the ballots. Experience has taught that ten days is too long a period from the day the election is held till the time the ballots are counted by the commissioners of elections. This change will unquestionably be made at the next session of the legislature, and thereby close the door to the charge that the law gives an opportunity to tamper with the ballot-boxes during this interval of ten days.

An act to grant to certain persons named therein, and their associates, the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina, for phosphate rocks and phosphatic deposits. Act No. 275, page 381, March 1, 1870.

An act to charter the South Carolina Phosphate and Phosphatic River Mining Company, in the State of South Carolina, and to grant to certain persons therein named, and their associates, the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina, for phosphate rocks and phosphatic deposits. Act No. 417, page 688, approved March 9, 1871.

Having thus submitted a full statement of the State debt, and other subjects connected therewith, embraced in your circular, I deem it not inappropriate to the occasion to refer to the present state of affairs in this State, and suggest the cause, to a certain extent, of our present unsettled condition. I do not desire to arraign any class of citizens as being guilty of an intention to obstruct the execution of the laws, but a vague and undefinable apprehension exists in the minds of certain classes of our population, created, no doubt, by the many extravagant rumors put in circulation by interested parties. This apprehension is one of alarm, particularly to those unacquainted with the machinery of politics and finance, and creates in their mind a dread of some great evil to come to the State, either by an increase of the State debt, enormous assessment of taxes, over-issue of bonds, or other calamities to them unknown. This impression has been fostered by those interested in keeping up the feeling of dissatisfaction.

It will be seen from the assessment and collection of taxes that the amounts are no greater than prior to the war. Previous to reconstruction a large amount of capital of the State was invested in the Bank of the State, and the profits of this institution were used to support the State government.

Money was loaned to the planter, merchant, and business man, and the percentage thus derived went to sustain the machinery of government; now these men are compelled to pay their tax direct, instead of by a percentage to the Bank of the State. In all communities the subject of taxation is one which operates on all classes with the liveliest feelings of alarm, and more particularly is this the case in communities where the land-holder has been, until recently, comparatively exempt from the visitations of the tax-gatherer.

I am constrained to believe that much of the turbulence and disorder in the State has arisen from the apprehension of people who put too much confidence in rumor. Wild and exaggerated stories of corruption and extravagance on the part of the State government have been put in circulation, in the hope, no doubt, of clogging the wheels of government. These reports have created a want of confidence on the part of those

who hold our securities, and have operated against the credit of the State. A better feeling, however, begins to prevail, and I am gratified in saying that at the present time all parties seem to be ready to lay aside political differences, investigate, and accept the truth, instead of rumor.

With such a condition of affairs I am convinced that the future must inspire confidence both at home and abroad, and that our citizens will feel that the best interests of the State will be subserved by a cordial co-operation of every class; and the oft-repeated rumor of the disposition of any party to repudiate any portion of the debt created is without foundation, as a reference to the proceedings of the tax-payers' convention held in this city, May 9, 1871, (a copy of which is forwarded,) comprising among its members the most intelligent and prominent men of the State, whose influence in this direction would be potent for either good or evil, having pledged themselves in that convention to hold sacred the obligations of the State, as a careful investigation satisfied them that no such extravagance or increase of the State debt had taken place in the administration of its finances as to justify a conditional threat in that direction, should a change of administration place them in control of affairs; indeed, if any feeling is more dominant than another on the part of the tax-payers it is that the debt, amounting to \$2,241,840, created during the war, should also be held as a sacred obligation.

While it is a recognized right of the tax-payer to complain of the burdens of taxation and the poverty of the people, yet it is a fact, patent to observation, that the annual increase of the staple products of the State, the value of property, and the accumulating wealth of the citizen are so largely added each year to the ability of the people to meet their obligations that very soon our present State debt will be looked upon as a comparatively inconsiderable sum.

The immense wealth to be derived from phosphate rock alone, in the rivers and inlets of the sea-board, is sufficient in itself, if properly cared for, to meet the entire expenses of the State government.

I desire, in conclusion, to call your attention to the fact that the annual appropriations to meet the expenses of the State government average less than one million and a half of dollars, which is collected from every species of property, both real and personal, and yet the Federal Government has collected from our citizens annually nearly double that amount, while the source from which this revenue is derived is limited to a few subjects of taxation, and therefore confined to a very small number of tax-payers. I merely refer to this subject to illustrate the fact that our people do not differ from the people of other commonwealths, and that the complaint of taxation is a common one to all communities and to all people.

I remain, very respectfully,

ROBERT K. SCOTT,
Governor.

Hon. JOHN SCOTT,

*Chairman Joint Select Committee to inquire into the
condition of the late insurrectionary States, Washington, D. C.*

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,
Columbia, November 13, 1871.

SIR: In reply to your circular of the 9th ultimo I beg to submit the following:

Actual indebtedness in 1861, \$5,305,090.16, itemized as under:

| | |
|--|---------------------|
| Bonded debt..... | \$4,046,540 16 |
| Bills of bank of the State issued prior to 1861, State being liable there- for, and redeemed by present administration..... | 1,258,550 00 |
| | <u>5,305,090 16</u> |

Actual indebtedness in 1865, \$6,316,964.10, itemized as under:

| | |
|--------------------------------|---------------------|
| Accrued interest..... | 5,305,090 16 |
| | <u>1,011,873 94</u> |
| | 6,316,964 10 |
| Being repudiated war-debt..... | <u>2,241,840 00</u> |
| | <u>8,558,804 10</u> |

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Actual indebtedness in 1868, \$8,174,040.10, itemized as under :

| | |
|---|---------------------|
| Accumulated claims against the State..... | \$6,316,964 10 |
| Bills receivable..... | 435,227 00 |
| Accrued interest..... | 500,000 00 |
| New State-house..... | 910,249 00 |
| | 11,600 00 |
| | <u>8,174,040 10</u> |

Actual indebtedness in 1871, \$9,528,564.10.

Under acts of August, 1868, (for the payment of interest, \$1,000,000,) and February, 1869, for the relief of the treasury, \$1,000,000,) the authority was given to raise the sum of \$2,000,000 by the hypothecation of coupon bonds of the State. It was believed at the time that the loan could be effected at nearly par, but owing to the combined influence of those who determined to make the financial affairs of the State a failure the bonds could only be placed at very depreciated rates, the consequence of which was the hypothecation of a larger amount of bonds to raise the required sum to liquidate the legacy of debt left by former administrations. For this reason the next statement of the State debt, which will be shortly made by the treasurer, will undoubtedly place the amount between eleven and twelve millions.

I desire it to be distinctly understood that this loan of \$2,000,000 was effected to pay debts that had accrued before the advent of the present State government, and that whatever increase in the State indebtedness that has occurred results from no mismanagement of finances during my administration, but from the persistent efforts of those who desire to break it down by financial embarrassment.

Responsibility of the State as indorser, in 1861, \$4,060,783.61, indorsement on railroad bonds.

Query No. 3.—No data.

| | |
|--|----------------|
| Query No. 4.—Bills of the bank of the State..... | \$1,258,550 00 |
| Claims accumulated..... | 435,227 00 |
| Bills receivable..... | 500,000 00 |
| Past-due interest..... | 1,922,122 94 |
| New State-house..... | 11,600 00 |

Bonded debt created by provisional government:

| | |
|---|---------------------|
| Bonds issued in funding past-due principal and interest, acts September and December, 1866..... | \$1,011,873 94 |
| Bonds issued for new State-house, act December, 1866..... | 11,600 00 |
| | <u>1,023,473 94</u> |

Bonded debt created by present administration to provide for payment of liabilities existing in 1868:

| | | |
|--|------------------|---|
| Bonds issued for redemption bills receivable, act August, 1868.... | \$500,000 | Vote.—Ayes: house, 94 republican; senate, 20 republican and 1 democrat. Nays: house, 12 democrat; senate, 3 democrat and 1 republican. |
| Bonds issued for payment interest, act August, 1868..... | 1,000,000 | Vote.—Ayes: house, 94 republican; senate, 20 republican and 2 democrat. Nays: house, 12 democrat; senate, 1 democrat and 1 republican. |
| Bonds issued for funding bills bank of State, act September, 1868..... | 1,258,550 | Vote.—Ayes: house, 66 republican; senate, 20 republican and 2 democrat. Nays: house, 15 republican and 8 democrat; senate, 3 democrat and 1 republican. |
| Bonds issued for the relief of the treasury, act February, 1869.... | 1,000,000 | Vote.—Ayes: house, 74 republican; senate, 16 republican and 1 democrat. Nays: house, 13 republican and 11 democrat. |
| | <u>3,758,550</u> | |

The main reason for the necessity of the passage of these laws was the consolidation of the State debt.

Query 6.—For loss during rebellion, no data.

Query 7.—No considerable loss from defalcation, fraud, or otherwise.

Query 8.—State had no control of county taxes in 1860. County tax in 1870, 3 mills.

Query 9.—Average cost of conducting the State government taken from the appropria-

tion bills 1858, 1859, 1860, was \$893,397, not including interest on public debt, for which no appropriation was made. Average cost 1863, 1869, 1870, \$1,204,608.

From 1858 to 1860, no appropriation for interest on public debt was included, as the State finances were manipulated through the bank of the State, which during the year 1860 paid for account of the State about \$400,000, and from these facts it is impossible to arrive at any positive figures of the actual expenses of the State.

Under the administration of the present State government the excess over former expenses is accounted for by the fact that the interest on the public debt is included in the appropriations, and the number of citizens to be legislated for is over three times the population under the old *régime*; the consequence of which is an increased expenditure for current expenses, such as education, administration of justice, State and county officers.

Query 11.—No material change was made in the manner of conducting elections up to the time of the inauguration of the present government, with the exception of the elections of 1866 and 1868, being under military control. Under the old law the representation was equally divided between property and population. In the lower portion of the State, parishes that only polled from three to six votes were entitled to representation.

The changes in the election law now in force were necessitated—1st, under the solution of the universal suffrage question; 2d, to afford such protection to the voter as would enable him to cast his ballot without fear or favor. The only weak point therein is the retention of the ballot-boxes by the commissioners of elections for ten days previous to the counting of the ballots; but this was obviated at the last general election, by the sealing of the ballot-boxes by a committee composed of both political parties, which remained unbroken until the counting thereof, which was done in the presence of the committee. This objection will, no doubt, be rectified by the coming general assembly, and thereby exclude the charge made by the opposition of fraud, usually made by a defeated party.

I am, sir, very respectfully, your obedient servant,

ROBERT K. SCOTT,
Governor.

Hon. JOHN POOL,

*United States Senate, Chairman of the Sub-Committee of
Joint Select Committee to inquire into the condition of the late insurrectionary States.*

Letter of Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
Columbia, South Carolina, November 23, 1871.

DEAR SIR: The following is in reply to your communication of November 21, in reference to the relations of the State of South Carolina to the Blue Ridge Railroad Company.

In 1854, under an act of the legislature, entitled "An act to authorize aid to the Blue Ridge Railroad in South Carolina," a subscription to the stock of the Blue Ridge Railroad Company, to the amount of \$1,500,000, by the State, was authorized, and the governor of the State was authorized and directed to pay for the same in bonds of the State at par.

Of the amount of the subscription thus authorized only one million was then subscribed and taken by the State, and this amount of stock was paid for by an issue of State bonds to the amount of one million dollars.

In 1869, under the provisions of the same act, the subscription of the State was increased \$310,000, making in all a subscription of \$1,310,000, for the payment of which an equal amount of State bonds were issued.

In 1868, under an act, entitled "An act to authorize additional aid to the Blue Ridge Railroad Company in South Carolina," the State authorized the indorsement of the guarantee of the State upon four millions of the bonds of the Blue Ridge Railroad Company, providing that out of the proceeds of the said four millions of bonds the company should first pay its existing bonded debt of about \$300,000. This act further enacted a statutory lien for the benefit of the State to indemnify it against the guarantee upon the four millions of bonds. At the same time the company made a voluntary mortgage of the entire property of the company in the States of South Carolina, North Carolina, Georgia, and Tennessee, for the security of the holders of the bonds guaranteed under the act of 1868, already referred to.

Thus matters stood in the beginning of 1871. There was a small bonded debt of about \$300,000, secured by first mortgage upon the entire property of the company; next an issue of four millions of bonds indorsed by the State, for which the State held, as indemnity, the statutory lien upon that portion of the road lying in the State of

South Carolina; and, finally, a mortgage upon the entire property of the company in South Carolina, North Carolina, Georgia, and Tennessee, for the further security of the holders of the bonds guaranteed under the act of 1868.

At that time none of the bonds guaranteed under the act of 1868 had been negotiated, nor had the condition that the bonded debt of about \$300,000 should be paid been complied with.

In 1871, by an act entitled "An act to promote the consolidation of the Greenville and Columbia Railroad Company and the Blue Ridge Railroad Company," the State waived her statutory lien upon her property of the company in South Carolina in favor of the voluntary mortgage heretofore referred to, making the latter mortgage, which had hitherto been a subsequent mortgage to that of the State, a prior mortgage.

This is the present condition of the relations of the State to this company. There now exists a bonded debt of the company amounting to about \$300,000, which is the first incumbrance upon the property of the road; next comes a mortgage of the entire property of the company, in all the States in which their road lies, for the security of the bonds issued under the act of 1868; and next the statutory lien of the State for its indemnity against the guarantee of the four millions of bonds authorized by the act of 1868.

All of the four million of bonds issued under the act of 1868, and guaranteed by the State, are now in the hands of the company and have not been negotiated. Whenever they shall be negotiated, the first mortgage upon the property of the company for about \$300,000 will be paid, and the mortgage for the benefit of the bondholders will become the first incumbrance, and the statutory lien of the State will become the second incumbrance upon the property of the company.

It should be added, for information, that during the present year the State has also sold the stock which it had acquired—as above explained—in that company, amounting to \$1,310,000, to private parties, who now hold it.

Very respectfully, your obedient servant,

D. H. CHAMBERLAIN,
Attorney General South Carolina.

Hon. JOHN POOL, *Chairman Sub-Committee, Washington, D. C.*

Letter of the city treasurer of Charleston.

CITY TREASURY, *Charleston, South Carolina, February 15, 1872.*

DEAR SIR: The appraised value of real property in our city; 1860, \$25,690,000; 1866, \$18,121,200; 1871, 18,652,585. The intervening years from 1860 to 1866, statements were destroyed during the war. The difference in value of those years was amount destroyed by the fire and the war.

Very respectfully,

S. THOMAS, *City Treasurer.*

Hon. J. E. STEVENSON, *Washington, D. C.*

Letter of the secretary of state of Texas.

WASHINGTON, D. C., *January 29, 1872.*

SIR: In compliance with your request, I will try to give you the information you desire concerning Texas.

SUBSIDIES TO RAILROADS.

Texas has agreed to subsidize two railroads, to wit: the International, and the Texas Pacific and Transcontinental. Both these subsidies are in the shape of square-out gifts. To the International \$10,000 per mile for completed sections of road. When this road is built, according to its charter, from a point opposite Fulton, Arkansas, where it makes junction with the Fulton and Cairo Railroad, the gift from the State will amount to about \$5,500,000.

To the Texas Pacific and Transcontinental, to aid the construction of two lines of railroad, making a junction upon the western border of the State, \$6,000,000. This subsidy can be exchanged for lands.

The State owns about ninety millions acres of lands, which it is proposed, by amendment to the State constitution, to open to donation to public improvements.

OTHER RAILROADS.

Besides the two roads mentioned, two other important lines are rapidly approaching our State, to wit, the road from New Orleans, and the Missouri, Kansas and Texas Railroad.

CATTLE AND WOOL.

The agricultural reports ought to furnish you with the cattle and wool statistics. In looking over the report for 1870 I notice the number of cattle put down at about three millions. I am certain a careful computation will show over five millions. About wool I am not posted. I know that its production is largely on the increase, and the adaptability and capacity of the State for wool-growing is unlimited.

COTTON AND WHEAT.

Besides being a great cattle and sheep country, other resources should not be forgotten. Texas has a larger area of land capable of producing wheat and the other small grains than California.

Texas is one of if not the first cotton-producing States in the South, and has cotton-land enough to produce as much cotton as is now raised in all the other cotton States. It is also a great corn State, and has many latent resources only waiting development.

PHYSICAL DIVISIONS OF THE STATE.

The State can be divided into four or five distinct regions, to wit: the timber region, extending along the Louisiana line several hundred miles, and varying in width from one hundred to two hundred miles, the finest forest of pine, oak, and other timber in the world.

The cotton and corn region, between the Gaudaloupe and Trinity Rivers, and extending interiorwards from 200 to 300 miles; the wheat region embracing the northern tier of counties, and all western region.

The pastoral region between the Colorado and the Rio Grande, embracing a vast area of grazing-lands. Cotton and corn are grown everywhere, and cattle grazed in every section; but the divisions I have indicated show the bulk of each interest.

The mineral region is embraced in the mountains extending for several hundreds of miles across the southwestern portion of the State, and containing rich mines of silver, copper, iron, and other metals, one day to be as famous as they were in early Spanish times.

PRESENT CONDITION OF THE STATE.

Our present State debt, embracing everything, cannot exceed \$1,300,000. The subsidies before mentioned are prospective.

Our population has increased over one hundred thousand since the last census, and must now be over one million.

Our taxable property has increased in value 50 per cent. during the past year.

Our public school system, now in operation about four months, shows an attendance of over 70,000 children. Our school census shows about 237,000 children between the ages of six and eighteen.

TAXES.

Our tax for all purposes of State government is $37\frac{1}{2}$ cents on the \$100. State school tax, $12\frac{1}{2}$ cents on the \$100. District school tax, for building school-houses and supporting schools, 1 per cent. The counties are allowed to levy tax for county purposes and for roads and bridges, up to 50 cents on the \$100.

If the full district school tax and county tax is collected, the entire levy for State, schools, and county purposes would amount to \$2 on the \$100, and a 5 per cent. tax to meet interest on frontier-defense bonds; in all, \$2.05.

POLITICAL CONDITION.

Despite the existence of a regular organized Ku-Klux organization, numbering from fifteen thousand to twenty thousand men, by a vigorous enforcement of the State laws, under the present administration, the falling off of crime is immense, while the records of the courts show a greater percentage of criminals punished than during any previous period of the history of the State. There is loyalty enough in Texas, if encouraged and protected, to keep her in the path of patriotism and duty.

OUR INDIAN TROUBLES.

Our extreme frontiers suffer greatly from Indian depredations, and Texas is being heavily taxed for the benefit of the peace policy.

The position of Texas, as a State, is very important. It is the natural pathway to the Pacific, and the gateway to Mexico. It has room enough for the entire population of the United States, and the soil to support them, and not be more crowded than the

people of Massachusetts are now. The importance of Texas was overlooked during the rebellion, and its possession enabled the confederacy to hold out much longer than it would have done. In fact, Texas was necessary to a successful rebellion.

Our greatest anxiety now is that our moral advancement shall keep stride with our physical development.

In conclusion, allow me to say that I have only touched upon points, and, perhaps, have gone much further than you intimated; but you can use whatever is pertinent to your purpose. You must excuse the enthusiasm of a Texan when speaking of his State, especially when looking to its grand future.

Respectfully,

JAMES P. NEWCOMB,
Secretary of State of Texas.

Hon. JOB E. STEVENSON,
Washington, D. C.

Statement of the Auditor of Public Accounts.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
Richmond, Virginia, November 7, 1871.

SIR: A circular from the Joint Select Committee to inquire into the condition of the late insurrectionary States has been placed in my hands by the Hon. R. T. Daniels, with a request that I would give to the interrogatories therein contained as full and explicit answers as can be furnished from the records of this department.

To give a specific reply to each question, I regret to say, would involve an amount of labor which I really have not the time now to perform. I think, however, the same results will be attained by a more general statement, which I will very cheerfully endeavor to make.

From a report made to his excellency Governor Walker, by J. L. Shackelford, esq., second auditor, in December, 1870, it will be seen that the public debt of this State, after making sundry deductions therein specified and explained, was, on the 17th day of April, 1861, \$31,938,144.59. The principal of this debt remained the same on the 1st day of January, 1871, up to which time the auditor adds the accrued interest, to wit, \$5,312,185.43, making an aggregate of principal and interest on the 1st day of January, 1871, \$37,250,330.02. To this must be added the "debt issued and that may be issued" under an act of the general assembly, passed the 2d of March, 1866, authorizing the funding of interest, \$7,692,310.38.

| | |
|--|----------------|
| Interest due and unpaid thereon | \$2,018,208 59 |
| Debt on Old James River Company stock..... | 95,000 00 |
| Interest due and unpaid thereon | 19,800 00 |
| Debt on James River and Kanawha Company bonds issued by the State. | 201,130 00 |
| Interest due and unpaid thereon | 114,060 97 |

Total amount of principal and interest 1st day of January, 1871.. 47,390,839 96

All the items of this statement will be more readily understood by reference to the report aforesaid, a copy of which I beg leave to submit herewith, marked A.

It will thus appear that there has been no increase in the debt of this State since the 17th day of April, 1861, except from the accumulation of interest thereon; the greater part of which was funded, first, under the act of 1866, aforesaid, and more recently under the act of the 30th day of March, 1871, entitled "An act to provide for the funding and payment of the public debt." These acts were not regarded at the time of their passage as at all party measures. They were passed under the belief, honestly entertained, I have no doubt, that such legislation was necessary to establish and maintain the credit of the State. It may not be out of place here to remark that in both the acts to which I have referred, one-third of the debt of the State, including interest, was regarded by the general assembly as proper to be assumed by the State of West Virginia, and that, therefore, no provision was made to pay any part of the principal of, or interest on, that one-third. (See copy of funding act of the 30th day of March, 1871, which accompanies this letter, marked B.)

I think I have now reached the seventh of your questions in order. In reply to this question I beg leave to submit a printed statement, (marked C,) furnished by me under a resolution of the house of delegates of Virginia, which shows the number of sheriffs and collectors who were defaulters to the State, both of military and civil appointment. The aggregate of losses under these appointments has been large. How large, it is almost impossible to tell, as in many cases suits have been instituted against the

sureties of these defaulting officers, some of which have not yet been finally determined. (See page 10 of the foregoing statement.) The bonds of many of these appointees, I regret to say, proved to be utterly worthless. In justice to the military commanders, however, by whom the great majority of these appointments were made, I feel free to say that, in my opinion, they could not have done much better, considering the range of their selection, which was exceedingly limited, and the material out of which their appointments could only be made. For, under the several acts of Congress, commonly known as the reconstruction acts, all persons holding office in the State, executive, legislative, and judicial, were removed therefrom by military authority, and none could be appointed to fill the vacancies, except such as were not reached by operation of the acts aforesaid, or such as would consent to take the test-oath. The number of the former was very small, and none, except the most worthless among us, with some few exceptions, would do the latter.

Eighth. I regret to say that it is impossible to give an answer to this question, for the reason that no report of county taxes is made to this department. The increase, however, has been very great, as in almost every county heavy expenditures were incurred, growing out of the devastations of war, which of course involved the necessity of largely increased taxation. The number of county officers, too, has been greatly increased under our present constitution, which of itself constitutes an element of expense not to be overlooked in arriving at a correct estimate.

Ninth and tenth. It is proper to remark, before giving an answer to these inquiries, that a division of the State of Virginia was authorized by an act of Congress in the year 1863, by which a third of the territory and about a fourth of the population were formed into a new State, known as the State of West Virginia. In comparing, therefore, the expenses of the State government in 1858, 1859, and 1860, with those of 1868, 1869, and 1870, the fact of this division must be constantly borne in mind, else it will be impossible to arrive at any just and proper conclusion. It may not be out of place to remark, in this connection, that our aim, since the conclusion of the war, has been to economize our expenditures as far as is compatible with the necessary wants of a decent and respectable State government; that the rate of taxation, under what is known as the Alexandria government, was fourteen cents on the one hundred dollars value of land and property; that, upon the assembling of a State legislature in Richmond, elected in 1865, to wit, at the session of 1865-'66, the rate of taxation was continued at 14 cents, and subsequently increased to 30 cents, and then to 50 cents, the present rate, 10 cents, one-fifth of which is appropriated specifically to the support of the public schools of the Commonwealth.

| | |
|--|------------------|
| The cost of conducting the State government for the fiscal year commencing on the 1st day of October, 1858, and ending on the 30th day of September, 1859, was | \$4, 222, 449 65 |
| For the fiscal year commencing the 1st October, 1859, and ending the 30th September, 1860 | 4, 147, 917 92 |
| The cost of conducting the State government (the present) for the fiscal year commencing the 1st October, 1868, and ending 30th September, 1869, was | 1, 819, 634 87 |
| For the fiscal year commencing the 1st October, 1869, and ending the 30th September, 1870..... | 1, 505, 650 68 |

Eleventh. There were no material changes made in the manner of conducting our elections from 1861 to 1865, and none until after the adoption of our present constitution. The changes were, first, a registration of all the voters, with the oath, &c., prior to an election; and second, that all elections should be by ballot, &c. These are constitutional requirements. Under these provisions a much larger number of clerks, &c., are necessarily required than under our former laws.

Twelfth. In answer to this question, I beg leave to say that the reason assigned by the advocates of reform was, that the vote by ballot was necessary to protect the negro in the exercise of his rights of franchise, it being supposed that were elections *viva voce*, as formerly, intimidation might be used, which would interfere with the *free exercise of his rights as a voter*.

Thirteenth. In respect to the matter of fairness or unfairness in our elections, I cannot speak with any personal knowledge. Charges of unfairness have been, and I suppose will be, constantly made by a defeated party everywhere whenever an election occurs. In this State, however, I have no doubt elections are as fairly conducted and with as little disorder as any State in the Union.

I take great pleasure in stating that Governor Walker's administration has been eminently successful, and that there is but one thing wanting to put our State again on the high road to prosperity. I refer to a general-amnesty bill. This would restore to our councils many of our wisest and best men who are now laboring under political disabilities, and inaugurate an era of good feeling, which can never otherwise be at-

tained. I trust I may be pardoned for expressing the hope that such a bill may be promptly passed when Congress assembles.
I am, very respectfully, your obedient servant,

Hon. J. B. BECK.

We concur fully in the foregoing.

WM. F. TAYLOR,
Auditor of Public Accounts.

ASA ROGERS,
Second Auditor.
GEO. RYE,
Treasurer of Virginia.

Statement of Mr. Poor.

68 BROADWAY, NEW YORK, February 16, 1872.

Hon. J. E. STEVENSON, M. C :

On my return to New York, I have your letter of the 29th ultimo. I annex a statement of the railroad mileage, and cost of the same, in the following States :

| States. | Length of line in operation, January 1, 1872. | Cost of same, January 1, 1872. |
|---------------------|---|--------------------------------|
| | <i>Miles.</i> | |
| Virginia..... | 1, 479 | \$52, 522, 914 |
| North Carolina..... | 1, 260 | 33, 509, 379 |
| South Carolina..... | 1, 299 | 35, 801, 786 |
| Georgia..... | 2, 157 | 53, 475, 352 |
| Florida..... | 461 | 15, 245, 000 |
| Alabama..... | 1, 697 | 60, 856, 392 |
| Mississippi..... | 984 | 31, 993, 737 |
| Lousiana..... | 522 | 21, 789, 560 |
| Texas..... | 797 | 25, 090, 000 |
| Arkansas..... | 275 | 10, 122, 000 |
| Tennessee..... | 1, 520 | 50, 841, 781 |

The above is an estimate. If you will wait a few months I will send you an accurate statement, made up from official figures.
Yours, very respectfully,

H. V. POOR.

OFFICE OF THE COMMERCIAL AND FINANCIAL
CHRONICLE, AND HUNT'S MERCHANTS' MAGAZINE,
Nos. 79 and 81 William street, New York, December 24, 1872.

DEAR SIR : Please pardon our delay in answering your letter of 15th instant. The question of how many miles of road have been built in Arkansas is a regular "*questio vexata*;" the general statement published in the Chronicle was taken from the Railroad Journal, and is compiled by the party who gets up the figures for Poor's Railroad Manual, who is a high authority.
Yours, truly,

WM. B. DANA & CO.

Hon. JOB E. STEVENSON.

TESTIMONY OF WILLIAM BURROW.

WILLIAM BURROW, a witness on the part of the prosecution, was called and sworn.

Examined by the prosecuting attorney :

Question. Mr. Burrow, did you know a man by the name of Albert H. Parker, in his lifetime ?

Answer. I knew a man that we called "Captain Parker." I only knew his first name—don't think I ever heard it.

Question. Where did you know him?

Answer. He came to my house, where I made his acquaintance—in Searcy, in White County.

Question. About what time; what year?

Answer. Well, I suppose it was in 1868, sir.

Question. Eighteen hundred and sixty-eight?

Answer. Yes, sir.

Question. Where did he board at that time?

Answer. At my house.

Question. Where did you last see him; how long did he board there?

Answer. Well, he staid there ten, or twelve, or fourteen days.

Question. Was it in the summer of 1868?

Answer. It was, sir.

Question. In what month?

Answer. I think it was in August, perhaps.

Question. When did you last see him?

Answer. At a grocery-door—Mr. Wm. Jones's grocery-door—between my hotel and the court square, some three hundred yards, perhaps, from the sulphur spring, that was due south of the house and the grocery.

Question. About what time in the day was that?

Answer. It was after dark—getting dark.

Question. Was it after or before supper?

Answer. It was after, sir.

Question. You saw him no more after that; your house was between the grocery you saw him at and the spring?

Answer. Yes, sir.

Question. Who was in company with him?

Answer. He was alone when I saw him last, sir.

Question. Do you know John S. Holland?

Answer. Yes, sir.

Question. James W. Russell?

Answer. Yes, sir.

Question. William L. Edwards?

Answer. Yes, sir.

Question. Where were they residing at that time?

Answer. Well, they were living in the town; I don't know where.

Question. In Searcy—in the same—

Answer. Yes, sir; living in the same town—I presume they were—I think so.

Question. Did you see them, or either of them, that night?

Answer. I did not, sir.

Question. Were you present at the coroner's inquest held over the body, or state what became of Parker—whether his body was recovered, or what you know about that?

Answer. Well, Parker had been missing, I don't remember how long—perhaps three or four weeks, maybe a month, and maybe longer—I have no recollection of the distinct time; and some inquiry was made of me by Dr. Chrisman, where he went; and I told the doctor that he disappeared from my house, and I supposed he had done as a great many other transient characters had—staid till he owed a right sharp bill, and took the advantage of the night and left me so; and the doctor remarked that a friend, or brother, or something of his at Little Rock, had asked him to make inquiry; that he had returned there. I told him about the time I saw him last, and all I knew about it.

Question. Were you at the inquest held over the—

Answer. Yes, sir.

Question. How long was that inquest held over his body—

(Messrs. Gallagher and Williams objected.)

Question. State where you saw him afterward, whether dead or alive?

Answer. If ever I saw him afterward, I saw him dead.

Question. Where was that?

Answer. It was at the well spoken of, I reckon, in the indictment. As I before stated, he had been gone some weeks, perhaps a month, and some citizens discovered a dead body in a well about three-quarters of a mile from town, I understood, on Saturday evening or Saturday night. On Sunday morning Judge Sanders sent down for me to come and go down to the well, to assist as one of the jury of inquest; that there was a dead man in the well. I went, with perhaps thirty or forty—I don't know how many—quite a crowd. But I was selected by the coroner. Sanders was serving the public as a coroner. I was sent for by him, as one of the jury; that there was said to be a dead body out there, and he wanted me to serve as a juror.

Question. Were you present when the body was taken out of the well?

Answer. I suppose I was standing ten steps from the well when the body was floated to the top—brought out.

Question. Do you regard that as the body of Parker; if you ever saw him again you saw him dead?

(Mr. Gallagher objected.)

After argument,

The COURT. That can be arrived at, I suppose, in a proper way.

Question. Well, as whose body did you regard that?

Answer. Well, Parker had been missing, and each political party had been accusing the other of his assassination.

Question. I don't ask you anything about that.

After argument,

Answer. I thought it was his.

Question. That's what I wanted to know.

Answer. I thought it was Parker's body.

Question. You never saw him any more after he left that night, except that which you supposed to be his?

Answer. No, sir.

Question. Was there any clothing on him?

Answer. Yes, sir.

Question. How long had you known Parker?

Answer. Well, as I stated in the outset, he had been at my house some ten or twelve days, I think. I don't remember the number of days he had boarded there. He had staid but little about the house—staid mostly about town.

Question. Have you ever heard of him, alive, since, anywhere?

Answer. No, sir; I have not.

Question. What kind of clothing did Parker have on when you saw him last?

Answer. That is a question that I don't think I can answer definitely; but it strikes me he had something like what was termed in the war times a blouse, and striped pants. Whether he had on a vest, or not, I am not able to tell.

Question. What kind did the dead body have on?

Answer. I didn't examine it thoroughly enough, for it was very much mutilated. I can't tell. The body was very much mutilated, and the skin had slipped off it. I just looked at it, and the stench was very great from it, and—Watkins was nearer than I was—

Question. How far was that from the spring?

Answer. Three-quarters of a mile—perhaps not more than half a mile.

Question. What county and State was that in?

Answer. White County, State of Arkansas.

Question. About what time was that in 1868?

Answer. I think it was in August, sir.

Question. Of 1868?

Answer. Yes, sir; I think that was the time.

Question. What place was that well on?

Answer. It was on a place that belonged to a son-in-law of mine. The plantation had formerly belonged to me, and I had sold it.

Question. What name was it known by?

Answer. It was first settled by a man named McConihe.

Question. Was it known as McConihe's?

Answer. I can't say. It had several ones. Sometimes called the McCauley place, sometimes the Burrow place, and sometimes the McConihe place.

Cross-examined by Mr. GALLAGHER:

Question. Well, Mr. Burrow, could you recognize that body as that of Mr. Parker, when you saw it?

Answer. Well, yes, sir; from the distance I thought it was Parker's body.

Question. In the well—when it was taken out of the well?

Answer. I came to that conclusion.

Question. You came to that conclusion?

Answer. Yes, sir.

Question. Were there any marks about the body?

Answer. I made no examination. I didn't go within fifteen feet of the body.

Question. Was it very much swollen?

Answer. Considerably, sir; considerably.

Question. Did you recognize the clothing on it?

Answer. Not as being the clothing that Parker wore, for I made—the clothing was muddy and rotten, and I didn't go near enough. I think, though, he had on what we would term a blouse. I think he had.

Mr. WILLIAMS. (The stenographer not having heard the witness distinctly.) Did you say "the" blouse or "a" blouse?

Answer. "A."

Mr. GALLAGHER. Did you recognize the features of Parker?

Answer. No, sir; I did not. There was not much of the features to recognize, as far as I examined.

Question. Well, didn't you form your judgment it was Parker's body, by the fact of his disappearance then?

Answer. Well, I was listening for him to turn up somewhere, sir.

Question. That is, you formed your opinion it was Parker's body?

Answer. Well, when the body was floated to my sight—well, I suppose that had something to do with my conclusion. I wasn't looking for anybody else missing. The stench was very offensive. As soon as it was taken up I retired some fifty steps, to the house, and remained there until they got through with the examination, and Judge Sanders called for us to come back, and we made out a verdict, and went along.

Question. Didn't go near the body afterward?

Answer. No, sir.

Question. Well, I understood you to say, then, that when it was floated in sight the smell was very offensive?

Answer. Yes, sir.

Question. And you were not expecting for any one else to turn up; you expected him to turn up in some way, and you immediately left, and went off with these other gentlemen to the house?

Answer. It was near by, and we retired to the house on account of the stench.

Question. Were there any particular marks by which you could recognize the body; any particular marks?

Answer. None, as I examined it.

Question. It had no particular marks on?

Answer. No, sir.

Question. As you examined?

Answer. Well, a man couldn't have designated any particular marks on the body.

Question. You say he had no marks which could be identified, in his condition there?

Answer. None that I observed—none that I saw. I didn't make a thorough examination of him at all.

Question. Then he was in such a condition that he couldn't be identified, in sure?

Answer. Well, not by the examination that I made of the body I don't suppose it could have been done. By a more thorough examination I could have come to a more full conclusion.

Question. You couldn't, by the examination you made, identify it?

Answer. I couldn't identify it as the body of Parker.

Direct examination resumed by the prosecuting attorney:

Question. You say you were looking for him to turn up that way?

Answer. Yes, sir; I was expecting. As I observed before, each of the two political parties were accusing one another of his assassination—that he had been violently dealt with, for the reason that he disappeared. And when I heard there was a dead man in the well, I just supposed that there it was.

Question. You and the balance of the jury came to the same conclusion; did you or did you not?

Answer. Yes, sir.

(Mr. Gallagher objected.)

WITNESS. If there was any discrepancy in the opinion I didn't—

(Mr. Gallagher objected.)

TESTIMONY OF LEROY L. BURROW.

LEROY L. BURROW, a witness on the part of the prosecution, was called and sworn.

Examined by the prosecuting attorney:

Question. What is your name?

Answer. Leroy L. Burrow?

Question. Do you know John S. Holland?

Answer. Yes, sir.

Question. James W. Russell?

Answer. Yes, sir.

Question. William G. Edwards?

Answer. Yes, sir.

Question. Those are the defendants here?

Answer. Yes, sir.

Question. Did you know Albert H. Parker in his life-time?

Answer. Yes, sir; for a short time.

Question. When and where did you know him?

Answer. First met him at West Point, and afterward in Searcy.

Question. What county?

Answer. White County, in this State.

Question. Just state when and where you last saw him; and if you know the circumstances of his death just state it to the jury.

Answer. Well, I don't know at what time it was that I saw him last.

Question. About what time?

Answer. Well, it was either in August or September—I am not certain which, sir.

Question. Of what year?

Answer. Sixty-eight.

Question. If you know the circumstances connected with his killing, just detail it from your first knowledge to the last act that was done—whatever you may know about.

Answer. At some time—I don't know in what time—either in August or September, in the evening, about 7 o'clock, I suppose, I met Brundridge—W. E. Brundridge. He told me to come up to town this evening, and I met him in Mr. Russell's room.

Question. Which, the defendant Russell here?

Answer. Yes, sir; met him on the street, and we went to Russell's room, and he told Russell that Parker had found out that he was guilty of a murder in White County, and that Parker should be got away with that night.

Mr. WILLIAMS. Who is "he;" whom do you mean by "he?"

Answer. Brundridge.

Mr. WILLIAMS. Brundridge committed the murder?

Answer. Yes, sir; and he went on to tell Mr. Russell about it; and Brundridge remarked that if he couldn't get help he would do it by himself; and after that, the next time I met Brundridge was at the sulphur spring; and Parker was there. I was there a short time; and Parker come down, in company with Mr. Russell. Mr. Brundridge arrested Mr. Parker on the steps, and took him out about three-quarters of a mile from town, and he was shot by order of Brundridge, and thrown into a well.

The PROSECUTING ATTORNEY. Did you see Russell more than once?

Answer. Saw Russell in his room, and at the spring.

Question. What occurred in his room in reference to this?

Answer. That was all, sir. Mr. Brundridge told Mr. Russell he had let Parker into some secrets there.

Question. What sort of secrets were they?

Answer. That he had killed a negro, I believe, there.

Question. What was the name of the negro?

Answer. Ban Humphries.

Question. Why did he tell it to Russell? Was there any peculiar reason why he should tell it to Russell more than anybody else?

Answer. Well, sir, no more than that he was the Grand Cyclops of the order there.

Question. What order?

Answer. That is all the name I know for it—"the order."

Question. What was it called by outsiders?

Answer. Outsiders called it Ku-Klux, I believe.

Question. Russell was the Grand Cyclops; and he went to him and made it known to him as such, that Parker had got into the secrets of the order? Was Brundridge a member of the order also?

Answer. Yes, sir; he was Grand Magi; which is the rank of first lieutenant.

Question. Well, the Grand Cyclops there was the defendant Russell, you say?

Answer. Yes, sir.

Question. What did Russell say when he told him that?

Answer. Well, he told Mr. Russell that Parker had got into these secrets, and he should be got away with; and he said if he didn't get help, he would do it by himself; and Russell said, I think, there was no necessity for one man going by himself—there would be an order published.

Question. Were you present when any plan was made to get Parker down to the spring, or do you know of any such plan?

Answer. Yes, sir.

Question. How was that arranged?

Answer. Mr. Russell was to go down by the hotel, and ask Parker to go down to the spring with him.

Question. Who was waiting at the spring for Russell to bring Parker down?

Answer. Mr. Holland and Mr. Edwards.

(Mr. Williams objected.)

After argument,

Question. Who was at the spring? I have the right to ask that.

Answer. Mr. Holland, and Mr. Edwards, and Mr. Brundridge were at the spring.

Question. Who else?

Answer. Bunk McCauley and myself.

Question. Well, when Mr. Russell brought Parker down there, was there anything said by Mr. Russell?

Answer. Not a word, sir; not a word, I think. He stopped about ten or fifteen feet before he got to the party—the party that was sitting on the steps.

Question. State what passed there, after he got down, with Parker.

Answer. Parker was going over the steps; but Brundridge raised up and told him he couldn't go over. He asked why; and he told him he arrested him. I don't think there was anything else said, except he told him to walk down from the steps.

Question. How far was that from the Burrow House?

Answer. Well, sir, I suppose, about a hundred and eighty yards.

Question. Then state, after Brundridge made the arrest, where did you all go with him then—in what direction?

Answer. He was carried about a southwest direction, from Searcy, about three-quarters of a mile.

Question. Well, to what place?

Answer. To an old place—a waste place; I believe it is known as the “Legget place,” or “Brooks place.”

Question. It has different names?

Answer. Yes, sir.

Question. Well, state what then occurred—what was done with Parker?

Answer. Well, after the party reached that place, Brundridge told Parker that—

Question. Told him what?

Answer. Told him that he had—that he must die.

Question. State the whole conversation—all that occurred.

Answer. Parker asked him what for, and he told him he had caught up with him; that he was a detective, sent there by Governor Clayton, and had divulged secrets that he didn't allow any one to know and live that wasn't a friend to him; something to that amount; I don't remember the words.

Question. What else?

Answer. Parker tried to talk Brundridge out of it—told him he would kill Dr. Chrisman and leave the State, or do anything, if he would let him off. Dr. Chrisman was living in Searcy at the time.

Question. Well, go on, and state everything that you know.

Answer. And, after talking for some time, told him that he had only five minutes to live, and that he should pray; and he said he had never uttered a prayer in his life. He asked if any one would pray for him. He asked every one, I believe, and finally, and last, he asked Mr. Holland. He told him he would, and prayed for him.

Question. That is the defendant, Holland, here?

Answer. Yes, sir. Then he was ordered to kneel down and be shot. He was shot and thrown into the well.

Question. By the parties there; and thrown into the well?

Answer. Yes, sir.

Question. After he was thrown into the well, was there anything done with his body—any steps taken?

Answer. No, sir.

Question. Anything put on it?

Answer. Nothing put on it that I know of, sir.

Question. How far was that from the sulphur spring?

Answer. Well, sir, I suppose it was between a half and three-quarters of a mile. It is about three-quarters of a mile from the court-house.

Question. Did you see the well afterward—or, state whether or not the body was found.

Answer. I heard it was, sir.

(Mr. Gallagher objected.)

Question. You were not there?

Answer. No, sir.

Question. Where did you go—where were you?

Answer. I was in Searcy.

Question. Were you ever at the well afterward, before you—

Answer. No, sir; never was at the well before the body was found.

Question. How long did you remain there that night, after you all killed him and threw him into the well?

Answer. Not at all, sir; we left immediately.

Question. Where did you go?

Answer. To our several homes, I suppose. I went home.

Question. About what time in the night was that?

Answer. About 9 o'clock.

Question. What was Parker doing at the time he was shot; was he attempting to hurt, or shoot, or assault any one?

Answer. No, sir; not that I could see.

Question. Well, what county and State was this?

Answer. White County, State of Arkansas.

Question. Was—what rank did Brundridge have?

Answer. First lieutenant—Magi—Grand Magi—with the rank of first lieutenant.

Question. What was the rank of the others of you who were there at that night?

Answer. There was the Grand Monk there.

Question. Who was that?

Answer. Myself.

Question. Who were the others?

Answer. I think they were all privates or Ghouls.

Mr. R. S. GANT. What?

Answer. Ghouls. G-h-o-u-l-s. [Spelling the word.]

The PROSECUTING ATTORNEY. You say Brundridge gave the order?

Answer. Yes, sir.

Question. For him to be killed? Well, by what authority did he do that; was there any oath or anything connected with that organization, by which he had the right to do it, and the others obey such order?

Answer. Yes, sir; the oath forced every member to obey the order of a superior officer.

Question. What was the penalty if he did not?

Answer. Death, sir; as we understood it.

Question. Who was the highest officer of that order, in Searcy, at that time?

Answer. Well, sir, I believe General McRae was.

Question. Where was he at that time?

Answer. I can't tell you, sir; I don't know.

Question. Who was next to him?

Answer. I think Colonel Frolich was.

Question. Who next?

Answer. Mr. Russell.

Cross-examined by Mr. GALLAGHER:

Question. You say you knew Parker, Mr. Burrow?

Answer. Yes, sir.

Question. How long had you known him?

Answer. About ten days before.

Question. You had met him about ten days before?

Answer. Yes, sir,

Question. Where had you met him at?

Answer. West Point.

Question. In what county was that?

Answer. White.

Question. Do you know what his name was?

Answer. No, sir; I do not. I don't know his given name. "Parker" was all the name I knew him by—[upon a suggestion by counsel]—"Captain Parker" he was termed.

Question. That was the man that you have been alluding to in your examination-in-chief?

Answer. Yes, sir.

Question. Did he belong to that order, do you know, that you spoke about?

Answer. Not that I know of, sir.

Question. Was it stated by Brundridge, in that conversation, that he belonged to that order?

Answer. I don't know, sir, whether Brundridge stated such a fact.

Question. And you don't know whether he belonged to the organization or not?

Answer. No, sir; I do not.

Question. You have been examined several times in these matters, haven't you?

Answer. Before two grand juries and before one examining court, I believe.

Question. Did you state there that Parker had got into the order?

Answer. No, sir; I don't think I did.

Question. State, did you, that Brundridge had got at the secrets of the order by joining it?

Answer. I did not state it.

Question. Well, you got acquainted with him about ten days before this killing took place, did you?

Answer. Yes, sir; I suppose it was that time.

Question. After the killing you all left immediately?

Answer. Yes, sir.

Question. And you went home?

Answer. Yes, sir.

Question. How long did you remain in the county?

Answer. I don't know, sir.

Question. Did you remain there all the time after that?

Answer. No, sir; I left Searcy—I believe it was in 1869—I am not certain.

Question. Where did you go to then?

Answer. Went to Louisville, Kentucky.

Question. How long did you remain there?

Answer. I was there about three months, sir.

Question. What business were you engaged in?

Answer. Wholesale boot and shoe business.

Question. How long? What time; in 1869 do you say you went there?

Answer. I think it was, sir.

Question. What time; do you recollect?

Answer. Some time in June, I think.

Question. What business did you go into?

Answer. Wholesale boot and shoe business.

Question. Whom with?

Answer. Chamberlain & Ingles.

Question. How long did you remain in the employ of Chamberlain & Ingles?

Answer. I think it was three months, sir.

Question. Where did you go to then?

Answer. To the house of Davis & Green.

Question. In Louisville?

Answer. Yes, sir.

Question. How long did you remain at the house of Davis & Green?

Answer. About four days; till I started South.

Question. What did they employ you at?

Answer. The sale of boots and shoes.

Question. In Louisville?

Answer. Selling them in this State; sold them in our house in Louisville, but sold the goods to this State.

Question. Did you come to this State?

Answer. Yes, sir.

Question. How long did you remain in this State?

Answer. I guess it was about two months and a half, sir, I was in this State.

Question. That would bring it into the first of 1870, then?

Answer. Yes, sir.

Question. Where did you go to then?

Answer. Back to Louisville.

Question. How long did you stay there?

Answer. Indeed I don't know, sir; about a month and a half, I suppose.

Question. Did you remain in the employ of the same house?

Answer. Yes, sir.

Question. Where did you go to then?

Answer. Came back to this State.

Question. How long did you remain here?

Answer. Well, sir, I was in the State about two days till I was arrested, and have been in the State ever since.

Question. Do you recollect at what time you were arrested?

Answer. I think about the 27th, 28th, or 29th of March; I am not certain.

Question. You had been here about two days before you were arrested?

Answer. In this State, sir.

Question. Where were you arrested at?

Answer. On the steamboat at this place.

Question. For what purpose had you come?

Answer. I came for my family, sir.

Question. Did you come here to be a witness in this case?

Answer. No, sir; I did not.

Question. Had you not been employed or requested to do so?

Answer. No, sir.

Question. Had you not been informed you would be arrested and brought here if you did not do so?

Answer. No, sir.

Question. Did not you offer to testify in the case?

Answer. No, sir.

Question. Had you not declared your intention to go to Memphis from Louisville, and send for your family to meet you there?

Answer. Well, I told Mr. Genn that I believed I would telegraph for my family to meet me in Memphis; afterward I concluded to go on all the way there.

Question. Did you telegraph to your family to meet you in Memphis?

Answer. No, sir; I did not.

Question. Where were you taken to from here?

Answer. To Little Rock.

Question. Where were you put then?

Answer. Put in jail.

Question. Who visited you?

Answer. There were a good many persons.

Question. Who first visited you?

Answer. I believe Dr. Chrisman was the first man that came to see me.

Question. What did he come to see you about?

Answer. He came up there to ask me about what I was in there for, &c.

Question. What did you tell him?

Answer. I told him it was under a charge of murder; so the writ read.

Question. Had you been arrested under a writ?

Answer. Yes; I was arrested here at this place.

Question. Who arrested you?

Answer. Mr. Booth.

Question. Did the writ charge you with the murder of any particular person?

Answer. No, sir.

Question. Did you tell Mr. Chrisman who it was when he asked you?

Answer. Well, I do not know that I did or did not, sir; I do not remember.

Question. Well, did he tell you it was for the killing of Parker?

Answer. Well, Parker's name was mentioned there; I do not know which one of us mentioned it first.

Question. Well, was the—what boat did you come up on?

Answer. I am not certain; it was either the Legal-Tender or the Des-Arc; I forget which one.

Question. Do you know what date that was?

Answer. Well, sir; I think it was the 27th, 28th, or 29th of March; I cannot tell which.

Question. Can you tell what date the writ was?

Answer. No, sir; I never noticed it.

Question. Do not recollect the date of the writ?

Answer. No, sir.

Question. Were you arrested on the boat as quick as it landed?

Answer. No, sir; it had landed some time.

Question. How long?

Answer. About an hour or two, I suppose. I cannot tell, sir.

Question. Was it in the morning or evening?

Answer. It was in the evening.

Question. You had received no information you would be arrested?

Answer. No, sir.

Question. You did not send any information on you were coming on here?

Answer. No, sir.

Question. And when you arrived, you were arrested in an hour or so after you arrived?

Answer. Yes.

Question. Were you then taken to Little Rock?

Answer. Yes; the next morning I was carried to Little Rock.

Question. What time did you get there?

Answer. I can't tell you, sir; some time in the afternoon of that day.

Question. Were you taken immediately to jail or not?

Answer. I think the hack stopped some few minutes in front of the Metropolitan Hotel, and then went on up to jail, sir.

Question. Did you then tell any one what you were arrested for, any particular offense, what particular offense it was—about what person?

Answer. No, sir; I do not know that I did.

Question. When was it Mr. Chrisman came up to see you?

Answer. I think it was the next day; I am not certain. It might have been the second day.

Question. Nobody came to see you that night?

Answer. No, sir; nobody came to see me that night.

Question. How long did you and Mr. Chrisman converse together?

Answer. I suppose fifteen or twenty minutes, perhaps longer.

Question. Was it about this subject-matter?

Answer. About my being in prison, sir.

Question. And about the killing of Parker?

Answer. Well, I do not know that we—I think Parker's name was mentioned, but I do not know we talked altogether about that. I was trying to get out of jail.

Question. Well, how did you try with him to get out of jail? What proposition did you make?

Answer. I wanted him to see some lawyers, so I could get bond.

Question. Did any question come up about your turning State's evidence in the case?

Answer. Not at that time, sir, I don't think.

Question. No proposition was made by Chrisman then, you think?

Answer. Not on the first visit, I think.

Question. When did he visit you again?

Answer. Well, sir, I do not know whether it was the same day or the next day that he came again.

Question. And what occurred then?

Answer. I think Captain Wheeler was with him and they told me I could turn State's evidence if I wished to.

Question. How long did you remain together that day?

Answer. I do not know, sir, how long; I suppose half an hour or more.

Question. And then did you come to any understanding on that subject?

Answer. I told him I would see the governor and have a talk with him, and he said the governor would come up.

Question. Who was governor?

Answer. Clayton; Paul Clayton.

Question. Well, did he come up to see you?

Answer. Yes, sir.

Question. What occurred between you and him?

Answer. He told me I could turn State's evidence if I wished to; that is, he would see that the State would set me free if I would do it.

Question. He told you the State would set you free if you would turn State's evidence?

Answer. Yes; that is what it amounted to; and I think he told me if I would tell it all he would see I was not hurt.

Question. Did you agree to turn State's evidence then?

Answer. Yes.

Question. Was it under that promise that he held out to you?

Answer. Yes.

Question. And while you were in confinement in jail, was it; and you would not have done so, except with that promise?

Answer. No, sir.

Question. Was anybody else there in jail with you?

Answer. Yes; there were several in jail.

Question. Were you put down in the—were you in the upper or lower story?

Answer. I was on the ground floor, sir, at first.

Question. How long did you remain there?

Answer. Two or three days; I am not certain which.

Question. Where were you when Governor Clayton saw you?

Answer. I was in the cell on the ground floor.

Question. Did you and he have a conversation together on the ground floor?

Answer. No, sir; we went up-stairs.

Question. Was any one with you in the room?

Answer. No, sir; I went up there myself. There was no one up-stairs.

Question. Were you put in a room by yourself?

Answer. I was, at first, sir.

Question. How long did you remain in a room by yourself?

Answer. Only one night, I believe.

Question. Was there any one then put in the room with you?

Answer. McCauley was—Bunk McCauley.

Question. How long did you and Governor Clayton converse together?

Answer. Well, about fifteen or twenty minutes, I suppose, sir.

Question. Did you have any conversation with others of the officers of Governor Clayton, or of the Government?

Answer. I had a conversation with Captain Wheeler. I don't know whether he was a Government officer or not.

Question. Did he purport to come or make you understand that he came on behalf of the governor?

Answer. Yes.

Question. Did you tell him that you would turn State's evidence if you would be protected?

Answer. I told him I thought I would, sir. I told him I could not tell until I had a talk with the governor.

Question. Didn't you say in your previous examination that you offered to turn State's evidence before the governor made this promise?

Answer. I do not think I did.

Question. Did you not state you did it three or four times before the governor made you this promise?

Answer. No, sir; I do not think I did.

Question. Were you examined before Judge Yonley?

Answer. I was, sir.

Question. And you do not recollect that you—you think you did not make the statement before him that it was after you had promised to turn State's evidence that the governor said he would protect you?

Answer. Well, I do not remember.

Question. What is the best of your recollection about that?

Answer. Well, in my examination before Judge Yonley I do not remember that I said I proffered to turn State's evidence until the governor had told me he would see that I was protected by the State.

Question. Well, did not the governor tell you in that conversation that he knew all about this matter?

Answer. Yes.

Question. Did not he tell you he would hang you unless you turned State's evidence?

Answer. Well, he didn't say it in those words, sir.

Question. To that effect?

Answer. Well, he told me, I believe, it would go pretty hard with us—it would with me, at least, if I did not tell what I knew concerning it.

Question. Didn't he say if you would turn State's evidence against McRae and Frolich and Russell, that then he would see you through?

Answer. No, sir; he wanted me to tell all I knew.

Question. Didn't he mention these very names?

Answer. Not at the time, sir, that I gave him my statement.

Question. What time did he tell you that?

Answer. He told me afterward he didn't propose to hurt any of us. It would be just the leaders.

Question. Didn't he mention the names of McRae, Frolich, and Russell?

Answer. He did not have Russell in it, sir. He told me McRae and Frolich.

Question. And if you didn't it would go hard with you?

Answer. He didn't tell me it would go hard with me at the time he was telling me he wanted to get it for McRae and Frolich, for I had been on the stand before that.

Question. When did this last conversation occur?

Answer. I do not know, sir, at what time, but some time after I had been in prison.

Question. What brought him up there to see you?

Answer. I do not know, sir; he came very often. I suppose he thought he would come and see if he couldn't find out.

Question. Any of the rest visit you?

Answer. Mr. Barton.

Question. Anybody else?

Answer. There was a good many others come, but only those two to get information.

Question. Did the attorney general come to see you for information?

Answer. I do not think he was ever there, sir.

Question. Didn't the solicitor general, Mr. Benjamin?

Answer. Benjamin was up there and took down my first statement, sir.

Question. Was the governor present at that time?

Answer. Yes.

Question. Did you ever see that statement afterward?

Answer. I never saw it, sir.

Question. You never heard it read afterward?

Answer. No, sir; I do not think I did.

Question. That was the statement you gave to the governor?

Answer. Yes.

Question. That statement you gave in prison, and under the belief that he would see you through, was it?

Answer. Yes.

Question. And protect you?

Answer. Yes.

Question. Well, now, I understand you to say in this examination that when Parker came to the spring, before any conversation passed, Brundridge arrested him, and told him he could not get over the fence?

Answer. He stopped him on the steps.

Question. Didn't you say, in that previous examination, Parker came there and chatted for about a minute or two, and then Brundridge arrested him?

Answer. I do not think I did.

Question. Didn't you in your examination before Judge Yonley?

Answer. I do not remember that I did.

Question.—What is your recollection?

Answer. My recollection is he was coming down, and didn't know who we were, and was going to walk over the steps, and Brundridge raised up and arrested him there.

Question. What is your recollection of your statement before Judge Yonley?

Answer. Well, sir, I recollect that they didn't chat two or three minutes before arresting him.

Question. Did Russell come up to the spring?

Answer. Well, I think he came about ten or fifteen steps—no, ten or fifteen feet of the steps, and stopped. Parker was coming in the front.

Question. Didn't you state in a previous examination he came some fifteen or twenty steps?

Answer. No, sir; I do not think I did.

Question. He didn't come up on the steps where you were?

Answer. The steps were some sixty feet from the spring.

Question. Russell did not speak to you, did he?

Answer. I do not think he spoke a word.

Question. What became of him afterward?

Answer. I do not know, sir; I left him there.

Question. Didn't come nearer than that to you, did he?

Answer. No, sir.

Question. Took no part in anything?

Question. I do not think he did, sir.

Question. Well, Mr. Burrow, when Mr. Russell came down with Mr. Parker, didn't he have a bucket on his arm?

Answer. Yes, sir; I think he did.

Question. Didn't he then pass you and come on to the spring to get water?

Answer. Yes, sir; I think he went out.

Question. You saw nothing more, then, of him?

Answer. No, sir; I didn't.

Question. In reference to seeing Mr. Russell, when you left, was that the last time you saw him that night?

Answer. The last time I saw him.

Question. Didn't see him afterward that night?

Answer. No, sir.

Question. Who arrested you when you came back here?

Answer. Mr. Booth.

Question. Where was it done?

Answer. On the steamboat at the landing; down there, sir.

Question. Did they ask you—would you have come if you had had any idea you would be arrested?

Answer. No, sir.

Question. Where was your family?

Answer. At Searcy, I believe.

Question. What was your object in coming?

Answer. After my family.

Question. Where were you placed in Little Rock?

Answer. In prison.

Question. What part of the prison?

Answer. On the lower floor—on the ground floor, in a cell.

Question. When you were arrested, were you informed at the time what the charge was?

Answer. Only murder, sir; the writ—I read the writ myself—it was a charge of murder.

Question. Were the defendants put in the same prison?

Answer. Yes; in the same building.

Question. How long before you got there, or do you know?

Answer. They were there when I got there.

Question. Did you know of their arrest at the time?

Answer. No, sir.

Question. You say the conversation of Governor Clayton with you, in reference to McRae and Frolich, was after?

Answer. Some time after I had been in prison, sir.

Question. After you agreed to turn State's evidence? In asking you to turn State's evidence did he ask you to tell what you did not know or what you did know?

Answer. He told me to tell what I did know.

Question. What was your object in turning State's evidence?

Answer. To get clear myself, sir. I didn't want any others to get in ahead of me.

Question. I have omitted one question in chief. I will ask you, simply, in reference to your age. At that time, what was your age, in 1868?

Answer. In 1868?

Question. Yes ; at the time of this occurrence.

Answer. I was twenty-four years old, I believe.

Cross-examination resumed :

Question. Didn't you leave the State on account of this difficulty ?

Answer. Well, sir, that was one thing that caused me to leave the State.

TESTIMONY OF JAMES M'MILLION.

JAMES McMILLION, a witness on the part of the prosecution, was called and sworn.

Examined by the prosecuting attorney :

Question. Mr. McMillion, state to the jury whether you knew Albert H. Parker in his life-time ?

Answer. Well, I knew a man that they said was Parker. I don't——

Question. Where did you know him ?

Answer. Searcy.

Question. Where did you last see him ?

Answer. I saw him, I think, in 1868.

Question. What season of the year ?

Answer. Along about in June, I think, as near as I can remember.

Question. Do you know James W. Russell, William L. Edwards, and John G. Holland, the defendants ?

Answer. Yes.

Question. Those are the——

Answer. Those are the gentlemen.

Question. Do you know anything about bodies having been recovered from a well, some time, over at Searcy ?

Answer. Yes ; I heard there was one taken out of a well there.

(Mr. Williams objected.)

Question. What well was it ?

(Mr. Gallagher objected. The court sustained the objection.)

Question. Do you know a well over there, some distance from that sulphur spring ?

Answer. Yes.

Question. What place is it on ?

Answer. The old McConihe place, called the McConihe place.

Question. State whether you saw any of the defendants near that well before this report of this body having been recovered.

Answer. Well, I saw a couple of these men there.

Question. Just state the circumstances under which you saw them.

Answer. Well, myself and brother were out hunting one evening, and went out to look at some pigeons, to shoot some pigeons, and were coming down the hill toward this old house, this old well place, and we heard some plank fall down, or something, and looked down and saw these two men at the well, and we started down there ; never thought anything about it, and went on down to the well or toward it, and got about forty steps of the well, I reckon, and these two men looked around toward us and started off.

Question. What kind of a gait did they go in ?

Answer. In a pretty fast walk ; and I asked to my brother : " What do you suppose them boys were leaving there in such a manner ; that we were not going to hurt them or anything of the kind." He said, " He did not know. They seemed to be acting very strange."

Question. In what direction you say ?

Answer. They went east.

Question. Did they follow the road, or go where ?

Answer. No, sir ; into an old field, and out of the old field into a considerable thicket. The last I saw of them they were going in that ; I do not think there is any—there is an old road runs through the thicket ; I have been there myself.

Question. How far is the thicket from the well ?

Answer. Well, sir, as well as I can remember, about three hundred yards from the well.

Question. How long was that before the inquest was held, or do you know whether an inquest was ever held there ?

Answer. Yes. I do not know it. I heard of it.

Question. How long was this before you heard of it ?

Answer. It was some two or three weeks before I heard about it.

Question. That was the body said to be recovered at the well, was it not?

Answer. Yes, sir.

(Mr. Williams objected.)

Question. Did they—you say you heard a lumbering?

Answer. Yes, sir.

Question. Where did that seem to be?

Answer. Well, it seemed to be right at the well. I saw the men there.

Question. What were they doing?

Answer. When I first saw them they then had hold of one end of the split-out puncheons that were over the well. It was a split-out puncheon. I think one end of them was kind of "skelped" off.

Question. Were the puncheons heavy or light?

Answer. They were very heavy, the puncheons were.

Question. Just show about the attitude to the jury they were in at the well.

Answer. Well, now, for instance, the well was right here. [The witness, rising, illustrated by gestures his description of the situation.] The well was right here, [pointing to his front.] The puncheon was laying across the well this way, [motioning crosswise,] and they were at this end, [gesticulating with the right hand;] you may say, down this way. One of them had hold of the puncheon just this way, [leaning over and motioning as though seizing something with both hands,] and they dropped it down and started away. Had hold of the end of the puncheon this way, [repeating the same gesture as before,] and when I first saw them they dropped it down. I went toward them. I don't know they had saw me then, though, when the puncheon was dropped.

Question. What time was it they looked round?

Answer. About the time I got in thirty or forty steps of the well. That was as near the distance as I can state.

Question. Which two did you say it was that were there?

Answer. Mr. Holland and Mr. Edwards.

Question. Where is your brother who was with you?

Answer. He is dead, sir; he died this summer.

Cross-examined by Mr. TURNER :

Question. Did you know Parker?

Answer. I knew the man they called Parker.

Question. Didn't know his other name than Parker?

Answer. No, sir; I didn't know his other name.

Question. You say you were about forty steps from these men when you first saw them?

Answer. No, sir; I was over that when I first saw them.

Question. When they saw you?

Answer. When they looked round and started away I was thirty or forty steps from them, as near as I can get it.

Question. You were coming from what direction?

Answer. From the direction of Mat Morris's mill. You know where Tim Walker lives?

Question. Yes; what direction was that from the well?

Answer. Rather a west direction.

Question. How far from that when you saw the plank fall?

Answer. Sixty or seventy yards.

Question. You came to the well?

Answer. No, sir; I didn't stop at the well; I stopped as near to the well as to you, (five or six paces from the well.) Didn't go close.

Question. Were you in sight of the yard when they saw you?

Answer. I was right at the fence, or where the fence is now. There was very little fence there then.

Question. Were you coming along the lane in front of the house?

Answer. No, sir; there was no lane there, nor road either. There was a road running in a different direction from where I was coming—up and down a string of fence.

Question. I believe you said you were not inside the yard at the time they walked off?

Answer. No; I was not inside the yard.

Question. About forty steps from that?

Answer. Near forty steps somewhere, I suppose.

Question. Mr. McMillion, how long was that before the body was discovered, or you heard the body was discovered in the well?

Answer. Some two or three weeks, along there. I cannot exactly give the time, because I never thought anything about it.

Question. Recollect having a conversation with Henry Black—you know him?

Answer. O, yes; I know him.

Question. Do you recollect having a conversation with him about those men being at the well; I mean after the man was discovered?

Answer. No, sir.

Question. Had no conversation with Henry Black, at all, after it?

Answer. I do not know; I might have had conversation with him. I know one man I have conversed with. I do not recollect having any with him.

Question. Do you recollect telling Henry Black these men became offended with you because you said they were the parties?

Answer. Yes; I suppose they became offended.

Question. Did you tell Henry Black?

Answer. I do not know whether I told Henry Black or not. If you want me to I will tell you who the man was that came to me and told me I had better keep my mouth shut.

Question. About Henry Black?

Answer. I do not know.

Question. Didn't you tell Henry Black when you saw these men in that direction they were not near the well at all?

Answer. I know I didn't tell him that, for I would not have told the truth if I had told it.

Question. Didn't you tell Henry Black you had said, after the man was discovered, that these men did the deed, but you were only joking about it?

Answer. No, sir; I never did.

Question. Didn't you further tell him that, in speaking about their being at the well, they were not near the well, but some distance from it, and were going hunting?

Answer. I do not recollect ever saying a word to Henry Black about it in my life. If I did, I do not recollect it. I was very careful when I was notified how I talked.

Question. Did these men have any guns at the time you saw them?

Answer. Yes; they had a gun apiece.

Question. Was it in time of pigeon-hunting?

Answer. Yes, sir; there was some few pigeons there at the time.

Direct examination resumed:

Question. You say some one told you to keep your mouth shut; who was it?

Answer. Mr. Ben Bradley come to me and told me that.

Question. About what?

Answer. About saying these boys were out there at that well. That was after the body was discovered in there; that I had better do it; that Mr. Edwards was a dangerous man.

(Mr. Turner objected.)

The prosecuting attorney stated that he proposed to show that Bradley was a member of the Ku-Klux Klan.

After further remarks by Mr. Gallagher,

The COURT. What do you say to the witness, gentlemen; do you want him any longer?

The PROSECUTING ATTORNEY. No, sir.

The COURT. [To witness.] Stand aside, if gentlemen have got through with him.

TESTIMONY OF "BUNK" M'CAULEY.

BUNK MCCAULEY, a witness on behalf of the prosecution, was called and sworn.

Examined by the PROSECUTING ATTORNEY:

Question. What is your name?

Answer. J. M. McCauley.

Question. Where do you reside?

Answer. Fairview, Independence County.

Question. In what State were you reared?

Answer. In this State, principally, from the time I was six years old.

Question. Where were you from 1861 to 1864?

Answer. In the confederate army from June, 1861, until June, 1865.

Question. Were you in any battles and skirmishes; if so, how many?

Answer. I was in twelve battles, some—I do not remember how many skirmishes—several.

Question. In whose command were you principally?

Answer. I belonged to the eighth Kansas regiment up to August, 1862. After that I was in an independent company for about seven months, and I belonged to General Kavanaugh's brigade of cavalry until the war ended.

Question. What was your age in 1868?

Answer. What was my age?

Question. Yes, in 1868.

Answer. I was twenty-two years old in October, 1868.

Question. You are now twenty-five, then?

Answer. Yes; twenty-five this month.

Question. Did you know one Albert H. Parker in his life-time?

Answer. Yes, sir; I have seen the man.

Question. Where did you first meet him?

Answer. At Searcy, Arkansas.

Question. Describe his personal appearance.

Answer. Well, he was light-complexioned; rather light hair and fair complexioned; a man who might be about thirty-two or thirty-three years old.

Question. How were you impressed with regard to his ability, or the character of the man, when you first met him?

Answer. Well, sir, when I was introduced to him I was favorably impressed with him. His address was that of an intelligent man.

Question. Where were you introduced to him; under what circumstances, and by whom?

Answer. I do not remember who I was introduced to him by. I was introduced to him in a bar-room in Searcy, White County.

Question. Arkansas?

Answer. Yes, sir.

Question. In what year; 1868?

Answer. I do not know.

Question. About what time, as near as you can remember?

Answer. I think it was in September; some time in September.

Question. Did you not know of an organization at that time—a secret organization—known by outsiders as the Ku-Klux Klan?

Answer. Yes, sir.

Question. How long had you a knowledge of such organization?

Answer. For some time.

Question. How long had you the knowledge of such organization?

Answer. Since April, 1868.

Question. In April, 1868, and from then until the time you met Albert H. Parker?

Answer. Yes, sir.

Question. Did you hold any position in the organization?

Answer. Yes, sir; I do not know that you can consider it so or not. I had authority from headquarters. I had a position as adjutant general. General McRae was commander.

Question. What was his title?

Answer. Grand Titan.

Question. Who was next to him in command?

Answer. I do not know, sir, that there was any one particularly next in command.

Question. What command did the Grand Titan have; how much territory?

Answer. One congressional district. That is my understanding.

Question. Did you understand the object of the order; its organization? Just state to the jury.

Answer. Well, my understanding of the object at that time was that it was in opposition to the radical party, and opposition to their supremacy.

Question. Was there anything said about its being military or civil in its character; which was it?

Answer. Military in its character.

Question. In what respect?

Answer. Well, in several; there were some very tight oaths connected with it: to obey your superior officer—any of the orders that they might issue—under a penalty of being put to death; and that covered about the whole thing.

Question. Who initiated you into the order?

Answer. Colonel Frolich.

Question. What position did he hold at the time?

Answer. At the time he was—well, I do not know what position he held at that time.

Question. What position did he hold afterward, before, and during that summer?

Answer. His position was commander of White County?

Question. What particular term was that called by?

Answer. Grand Giant.

Question. Did you know James W. Russell?

Answer. Yes, sir.

Question. When?

Answer. In 1868.

Question. Did he hold any position in that organization during that year?

Answer. Yes, sir.

Question. What was it?

Answer. I think he held the position of Grand Cyclops.

Question. Grand Cyclops of what?

Answer. Of a Den?

Question. What do you mean by a Den?

Answer. Company.

Question. A Den and a company then coincide?

Answer. Yes, sir.

Question. Was there any particular number should be assigned to a Den or company?

Answer. No, sir; there was no particular number.

Question. What were the privates called, if there was such a thing recognized in the organization?

Answer. I have forgotten the name, sir.

Question. Did you, as adjutant general, organize any?

Answer. The privates were called Ghouls.

Question. Did you, as adjutant general, issue orders in the organization in Dens or companies?

Answer. Yes, sir; I organized several Dens, and gave other men instructions to organize them.

Question. Had you power to issue orders for that purpose?

Answer. Yes, sir.

Question. How did you gentlemen sign these orders?

Answer. I signed these orders by McRae, Grand Titan of the district, by me, acting adjutant general.

Question. And which was the highest officer in a Den; what was he called?

Answer. Grand Cyclops.

Question. And James W. Russell, I understand you to say, was a Grand Cyclops of the Den at Searcy, in the summer and fall of 1863?

Answer. Yes, sir; that was my understanding of it.

Question. Did you know John G. Holland and William L. Edwards?

Answer. I did.

Question. Did John G. Holland hold any position in the summer of 1863? I do not mean in the organization.

Answer. I believe he was mayor of Searcy.

Question. Was he a professional man? What was his business?

Answer. Lawyer.

Question. James W. Russell, what was his occupation?

Answer. He was a clerk.

Question. William L. Edwards, do you know what his occupation was?

Answer. No, sir; I do not.

Question. How long had you known James W. Russell?

Answer. Since October, 1865.

Question. Were you well or partially acquainted with these parties?

Answer. I was pretty well acquainted with them.

Question. You do not know what Edwards followed?

Answer. I think he was—what time did you say?

Question. In 1868.

Answer. Well, I think in the fall of 1863 I do not think he was doing anything.

Question. During the year of 1868 do you know of any business he followed?

Answer. I think he was in business with Mr. Eandegier.

Question. State to the jury do you know about Searcy any particular persons that belong to that organization.

Answer. Well, I know several.

Question. State the number that you know.

(Objection made. Not insisted on for the present.)

Question. When was the last time that you saw Albert H. Parker, and under what circumstances, and where?

Answer. I do not remember the dates exactly. The time, I think, was in September or October, 1863. I do not remember when.

Question. Well, will you please state to the jury where you saw him at that time?

Answer. The last time I saw him was about three quarters of a mile southwest of Searcy, Arkansas.

Question. Was it night or day?

Answer. It was at night.

Question. State in whose company you saw him that night first, and where, if you know.

Answer. Well, it was in the company of Mr. Edwards, Holland, Le Burrow, Brundridge, and myself. It was at Searcy, Arkansas.

Question. Did he come there alone or with some one?

Answer. He came with some one.

Question. With whom did he come ?

Answer. He came to the spring with Mr. Russell.

Question. The defendant here ?

Answer. Yes, sir.

Question. What occurred when he first came ?

Answer. He was arrested.

Question. By whose order ?

Answer. By the order of Mr. Brundridge, I think. I do not remember whether it was him or some one else.

Question. Whereabouts at the spring ?

Answer. It was about twenty steps, I suppose, from the spring.

Question. How come you at the spring at the time, not being with these parties ?

Answer. I was there attending to orders.

Question. Orders from whom ?

Answer. Leroy Burrow.

Question. What position did Leroy Burrow hold, if any, in the organization ?

Answer. I think he held the position of Grand Monk.

Question. How long before you went there after you received orders ?

Answer. Ten or fifteen minutes before I started there.

Question. What kind of clothes did you have on when you started ?

Answer. I wore dark clothes.

Question. Did you have on dark clothes at the time you were ordered to go there ?

Answer. I had on a light coat.

Question. What did you do in reference to your clothing ?

Answer. I changed it.

Question. When you received the order from the Grand Monk, were you fully advised what was to be done ?

Answer. He told me what was to be done.

Question. In whose company did you come to the spring ?

Answer. With Mr. Burrow.

Question. Did you meet any one there ?

Answer. Yes, sir.

Question. Who ?

Answer. Mr. Holland, Mr. Brundridge, and Mr. Edwards.

Question. Was the spring inclosed by a fence or not ?

Answer. It was.

Question. Were they inside or outside the inclosure ?

Answer. Outside.

Question. What conversation occurred, after you arrived there, between you and them, if any ?

Answer. I do not remember any conversation at all. I suppose there was some, but I don't remember what it was. I do not remember any conversation.

Question. Well, did Mr. Parker make any remarks when he was arrested ?

Answer. Yes, sir.

Question. What did he say ?

Answer. He remarked that—well, I do not remember. I don't think he said anything when he was first arrested. A few seconds afterwards he remarked that they searched him for arms, and he remarked if they found anything he would treat. He supposed they were searching for money.

Question. What did you do with him then ?

Answer. We searched him.

Question. Was he confined ?

Answer. No, sir ; he was not confined more than being gagged.

Question. Gagged how ?

Answer. By tying a handkerchief in his mouth.

Question. After you tied the handkerchief in his mouth, what did you do with him ?

Answer. We carried him for a mile or three-quarters.

Question. In taking him there, did anybody have hold of him ?

Answer. Yes, sir ; two parties.

Question. What was the object in putting the handkerchief into his mouth ?

Answer. Keep him from making a noise.

Question. Was the party armed or not ?

Answer. Which party ?

Question. The party which arrested him.

Answer. Yes, sir.

Question. Did he have any arms ?

Answer. Not that I know of.

Question. Well, how far did you proceed with him when he was gagged ?

Answer. Well, sir, it was about half a mile—probably a little over—not over three-fourths of a mile.

Question. To what place?

Answer. To the McConihe place, southwest of Searcy.

Question. Just state what occurred after you got there.

Answer. Well, he was killed.

Question. State under what circumstances and all the circumstances connected with this killing, and all that transpired, either of word or action, that you can remember.

Answer. Well, I do not know that I can remember the whole circumstances in detail.

Question. As near as you can remember.

Answer. Well, he was carried there and killed, and thrown in the well.

Question. Was he informed before or after his arrival what his fate was to be?

Answer. Yes, sir; he was. He was informed before his arrival and afterward what his fate would be.

Question. Did he remonstrate or not?

Answer. Yes, sir. When he was first informed of his fate he denied it.

Question. Denied it?

Answer. Yes, sir; denied being a spy and detective.

Question. Was it charged upon him, or not, that he was?

Answer. Yes, sir.

Question. Spy and detective of what?

Answer. Spy and detective sent there to ferret out the organization of the so-called Ku-Klux Klans.

Question. He denied it at first?

Answer. Yes, sir. He said he wanted to join them. Previous to that time he had made strong professions in that way—that he wanted to join it.

Question. Did anybody remonstrate against his being killed?

Answer. Yes, sir.

Question. Who was that party?

Answer. I did.

Question. State what you said.

Answer. Well, I proposed to turn him loose.

Question. Under what circumstances; upon what conditions?

Answer. Well, he proposed himself, to me, never saying anything about the matter at all, and I proposed to some party to release him.

Question. Release him to do what?

Answer. Go out of the country.

Question. Alone or attended?

Answer. Attended, if necessary.

Question. What did he do then?

Answer. I do not remember, sir.

Question. Did he express any gratitude by word or action? If so, state it.

Answer. Yes, sir, he did; he put his arm around my neck and asked me to protect him if I could.

Question. Did he make any remarks more than that?

Answer. Yes, sir, he said that he would leave the country and never say a word in regard to what he had learned; never say a word to the authorities or any one else. He would leave the United States.

Question. Well, were you interested in the matter or not?

Answer. Yes, sir, I was.

Question. How long had you known of this intention to take his life before you met him at the spring?

Answer. Well, sir, it was not exceeding ten or fifteen minutes.

Question. You went there under orders from the Grand Monk?

Answer. Yes, sir, I believe it was the Grand Monk.

Question. How long were you at the well parleying about his being killed before the deed was consummated?

Answer. Well, sir, it was not exceeding an hour, I don't think.

Question. State all that he said, if anything, in reference to his family and letters, and so on.

Answer. Well, he remarked he was not a married man—had been; and his wife was dead, and he had one child.

Question. Boy or girl?

Answer. Girl.

Question. Where?

Answer. Somewhere in New York.

Question. What did he say in reference to that, and to whom?

Answer. He requested some one to write to his father-in-law, who lived in New York some place—I do not remember the address—and Leroy Burrow promised to write to his father-in-law an anonymous letter telling him what had become of him.

Question. Did any one write a letter at all?

Answer. I do not think any one wrote the letter. I wrote a letter, but never sent it.

Question. Why didn't you send it?

Answer. Because I was afraid of being detected in it, and changed my intention after I wrote the letter.

Question. State the attitude he was in at the time he was shot.

Answer. He was kneeling.

Question. How came he to kneel?

Answer. Well, I suppose he knelt because he preferred to do it. He was told that he had but a short time to live, and if he wanted to pray any he must do it, and I suppose he then knelt.

Question. Did he say anything about praying at that time?

Answer. He said he never had prayed in his life.

Question. Did he make any request in reference to any prayer?

Answer. He requested some one of us to pray for him.

Question. What was done in response to that request, if anything?

Answer. One of the party prayed for him.

Question. Who was that?

Answer. Mr. Holland.

Question. What was the attitude of the different parties at the time of that prayer—standing, sitting, kneeling, or what?

Answer. Well, the parties having him under arrest?

Question. Yes, sir.

Answer. Standing, during the prayer?

Question. Yes.

Answer. Kneeling, sir, was the attitude of the party.

Question. Did they all rise afterwards?

Answer. When the prayer was through?

Question. Yes, sir.

Answer. Yes, sir.

Question. The deceased, too?

Answer. He remained kneeling.

Question. What was he doing at the time the prayer was going on?

Answer. He was praying himself.

Question. Had he ceased praying when you all got up?

Answer. No, sir.

Question. How long was it after you had got up that the killing took place?

Answer. It was immediately afterwards.

Question. What was he doing then?

Answer. He was praying.

Question. Was there any order given to fire upon him?

Answer. Yes, sir.

Question. Who gave the order?

Answer. I think it was Mr. Brundridge.

Question. What was the firing done with?

Answer. Done with pistols.

Question. Well, did he fall immediately or not?

Answer. He fell immediately.

Question. Did you hear any groans uttered after the first fire?

Answer. Yes, sir.

Question. Did any one fire afterwards?

Answer. Yes, sir.

Question. How long afterwards?

Answer. A few seconds.

Question. Who was it?

Answer. I do not know. I didn't see the party that fired, sir.

Question. You didn't see it, sir?

Answer. No, sir.

Question. After that, what was done with his body?

Answer. It was thrown in the well.

Question. And what was done with reference to the well?

Answer. Well, sir, there was nothing. We covered it up, like it was before.

Question. What with?

Answer. With some split puncheons—timber split up, that we call puncheons.

Question. Were the puncheons heavy or light?

Answer. Tolerably heavy—not very heavy. One man could have handled them.

Question. Just state your conduct and feelings on the occasion when the question was discussed at the well whether he should be killed or not.

(Mr. Gallagher objected.)

The COURT. Let him state what was said and done. His feelings may be indicated by what he said.

Question. State what you did and said on that occasion.

Answer. Well, I didn't say a great deal. I remarked to one of the party—I don't remember who it was—to turn him loose; well, I made this remark, that if we would turn him loose, did they think that he would ever report us, and have us arrested. I didn't think that; I didn't believe he would. I don't remember who the party was.

Question. Did any one shed tears on that occasion?

Answer. Yes, sir.

Question. Who was it?

Answer. I did.

Question. How came you to do it?

Answer. It was sympathy for Mr. Parker. I couldn't avoid it.

Question. You had known him but a short time?

Answer. But a short time.

Question. Well, where did you go after this thing occurred, if anywhere?

Answer. I went back to Searcy, to the town of Searcy.

Question. How long did you remain there?

Answer. I staid there till December.

Question. Of what year?

Answer. Eighteen hundred and sixty-eight.

Question. Where did you go then?

Answer. To Memphis, Tennessee.

Question. From there where?

Answer. Back to Searcy.

Question. Where from there?

Answer. Well, I was buying cotton, for nearly two months, for Greer & Bancum.

Question. Did you go to any other State?

Answer. No, sir; not that—

Question. Where were you in 1869?

Answer. Part of the year I was in Fairview, Independence County. I went to Texas in that year.

Question. When did you return from Texas?

Answer. In March.

Question. Of what year?

Answer. Eighteen hundred and sixty-nine—1870.

Question. March, 1870?

Answer. Yes, sir.

Question. How long after that were you arrested?

Answer. About ten days. I got home Wednesday, and the next Sunday week I was arrested.

Question. How did you happen to come back?

Answer. My brother was sick, sir; and I came back on that account—didn't expect him to live.

Question. Where did Holland, Russell, and Edwards remain, meantime? Where were they at?

Answer. They were at Searcy, I guess—there all the time, as far as I know.

Question. Did you go back to the well at any time after—do you remember the time the body was said to have been taken out of the well?

Answer. I do.

Question. Were you present?

Answer. I was not present at the—I was in Searcy at the time.

Question. Had you ever been to the well from the time you put the body in up to the time it was said to have been taken out?

Answer. I had not.

Question. Had you held any conversation in reference to how to sink a body, with any one?

Answer. No, sir; I don't think I had. I talked with Mr. Burrow about it.

Question. Which Burrow?

Answer. Leroy Burrow. He said something about it. I don't remember what the conversation was, now.

Question. You are positively certain that these defendants are the parties that were with you—that is, Edwards and Holland?

Answer. Yes, sir.

Question. Did you see Russell—ah, you stated Russell came down to the spring with him, I believe. Had you been told who was to bring him down there, or did you understand that?

Answer. I had not.

Question. You simply changed your suit and went with them, under orders from the Grand Monk?

Answer. From Mr. Burrow. I hadn't time—I didn't ask anything about it—he only

remarked Parker was a spy, and they had detected him; and if we didn't do something we would all be jerked up and arrested.

Question. Jerked up and arrested?

Answer. Arrested—sent to Little Rock.

Question. Were there any papers produced when you were all talking at the well?

Answer. No, sir; if there were, I didn't see them.

Question. From Parker?

Answer. No, sir.

Question. Were there any referred to?

Answer. Yes, sir.

Question. What were they; and what were the circumstances?

Answer. Well, some one—Mr. Burrow, I think—told Mr. Parker they had intercepted his letters, and he was a spy, and all this kind of thing—that they had found him out.

Question. What was the object of that conversation being brought up?

Answer. To prove to him that they knew he was guilty of being a spy—that they were not killing him by any other motive, I suppose.

Question. Where did all this occur—in what county and State?

Answer. White County, State of Arkansas.

Question. In what year?

Answer. Eighteen hundred and six-eight.

Question. Eighteen hundred and sixty-eight—1863, I believe you said?

Answer. Yes, sir.

Question. Where were you taken after you were arrested?

Answer. I was carried to Little Rock, Arkansas.

Question. Where were you placed—by whom were you arrested?

Answer. I was arrested by General Keyes Danforth, adjutant general of the State, at Fairview, Independence County.

Question. Had any arrests been made before you were arrested?

Answer. No, sir; I think not. None that I knew of.

Question. How near did the defendant, Mr. Russell, come to where the deceased, Albert H. Parker, was arrested?

Answer. He passed right by the place. He passed right immediately over the steps of the spring.

Question. Went in to the spring?

Answer. Yes, sir; went in to the spring.

Question. And was he inside or outside when you gagged him, and carried him off?

Answer. He was inside, sir; as well as I remember.

Mr. WILLIAMS. That is, Parker was, you mean?

Answer. No, sir; Mr. Russell.

After colloquy between the prosecuting attorneys and Mr. Williams, The PROSECUTING ATTORNEY. Did he pass inside—cross the steps there before or after Brundridge gave the order of arrest?

Answer. He passed in before.

Question. That is, inside?

Answer. Yes.

Question. When the order was given?

Answer. Yes, sir; I suppose inside, clear to the spring.

Question. What became of him afterwards that night?

WITNESS. Became of him?

The PROSECUTING ATTORNEY. Yes.

Answer. I don't know sir; I suppose—

Question. Did you see him afterwards that night?

Answer. I did.

Question. Where?

Answer. At his room.

Question. Where did you stay that night?

Answer. I staid with him.

Question. Was there any conversation between you and him, as to what became of Parker?

Answer. I told him what we had done with Parker.

The PROSECUTING ATTORNEY. We may want to recall the witness again as to another fact not drawn out here, after the train arrives. It will be nothing connected directly, remotely only, with the case.

Mr. GALLAGHER. I suppose that will be a matter addressed to the discretion of the court?

The PROSECUTING ATTORNEY. Certainly.

Cross-examined by Mr. GALLAGHER:

Question. Mr. McCauley, the question asked you, at the start, whether you knew

Albert H. Parker. You said you did. Do you know if Parker was named Albert H. or not?

Answer. No, sir; I do not. I don't know whether it was Albert H. Parker, or not, from my own knowledge. I was introduced to him as Captain Parker.

Question. That was the way he was called, was it—he was known as Captain Parker?

Answer. Yes, sir; I afterward learned his name was A. H. Parker.

Question. A. H. Parker?

Answer. Yes, sir.

Question. The question was asked, when you got acquainted with him first. Please state that again, as near as you can.

Answer. Well, sir, it was in September, I believe.

Question. Eighteen hundred and sixty-eight?

Answer. Somewhere about the 1st of September, 1868.

Question. You were asked, by the State, how you were impressed by him, and you said, favorably. On what account?

Answer. Well, I was favorably impressed with him as regards his intellect, and being a very keen, shrewd man. That is what I mean. I was not favorably impressed as regards to the man himself—only in regard to his intellect, and being a pretty shrewd fellow.

Question. How long from the time you first got acquainted with him to the time he was brought down to the spring?

Answer. Well, it wasn't over—I don't think it was over two or three weeks—not over two weeks. I think it was in September I got acquainted with him—it may have been October—one of those months—about the first of one month or the other. I don't remember, sir, the exact date; I think it was September.

Question. Well, did you see him often? Where did he live all that time? Where did he stay?

Answer. Well, sir, I don't know where he staid at. I have learned since that he boarded at Mr. Burrows's hotel.

Question. Where is that?

Answer. In Searcy, Arkansas, on Spring street.

Question. Did you live there at that time?

Answer. Yes, sir.

Question. Did you see Parker there often?

Answer. I have seen him several times.

Question. Did you talk with him?

Answer. I was introduced to him, once had some little conversation with him, and he came over to the house I was staying in twice, I think, afterward, and tried to raise a conversation with me in regard to politics, and I waived him off—everything was pretty hot then, just before the election.

Question. Where did he say he was from?

Answer. He said he was from Texas.

Question. What did he say with regard to his services in the war; did he take any part in it?

Answer. He said he was in the confederate army.

Question. Did he—

Answer. Well, now, here—he didn't say to me that he was in the confederate army; I was too fast. I never talked with him about his being in the confederate army; I have that only from hearsay. My understanding was that he was in the confederate army, in Parsons's Texas regiment, I think.

Question. He tried to draw you into politics; what politics did he pretend to be of?

Answer. He pretended to be a very strong democrat.

Question. What was his opinion in regard to negro suffrage, and radicals?

Answer. Well, it was bitterly opposed to it, sir; at least he pretended to be.

Question. Did he ever allude to the Ku-Klux to you?

Answer. Never did, sir.

Question. Ever say whether he desired to belong to it or not, or desired to belong to it?

Answer. No, sir; he never alluded to it in any way. He commenced on both occasions. I was in the store, and not very busy. I handed him a chair, and asked him if he would sit down, and talked to him a while. He commenced speaking of radicals and democrats, and I waived the thing off; I didn't talk to him anything on the subject; politely as I could, just dropped the thing.

Question. Did he state anything to you about a "white man's party," in this conversation?

Answer. No, sir?

Question. Then the next thing was in regard to the Ku-Klux organization. By whom were you initiated?

Answer. By Colonel Frolich.

Question. About what time?

Answer. In April, 1868, as well as I remember; I think it was in that month; well, I think it was in April.

Question. When did you get that equivalent to the post of adjutant general in the army?

Answer. I think it was in June.

Question. Who gave it to you? Who handed it to you?

Answer. General D. McRae.

Question. He handed it to you?

Answer. Yes, sir.

Question. Well, now, did you not understand, as the object, at the time, that this organization was for the purpose of opposing the extreme radical party, and making a white man's government?

Answer. I did, sir.

Question. You so testified before Judge Touley, in your previous examination?

Answer. Yes, sir; and this time.

Question. You say it assumed a kind of military organization?

Answer. My understanding of the organization was that it was in opposition to the radical party, and negro supremacy, and in favor of white men ruling the government. That was my understanding of the organization at the time.

Question. Was it not your understanding it was the object to protect yourselves from aggression of the other party?

Answer. Yes, sir.

Question. Did you not understand they were in military form—organized against you?

Answer. Yes, sir.

Question. It was to protect yourselves against aggression from them, was it—

Answer. Yes, sir.

Question. That you entered into the bond?

Answer. Yes, sir.

Question. Well, did you understand, at that time, that you were to commit murder or assassination, or that it was for that purpose?

Answer. If we were imposed upon, sir, I understood—my understanding of it was—that we were to protect one another under any circumstances, or in any way we could.

Question. Against this other party?

Answer. Yes, sir.

Question. Was that the only thing it had to do—to protect yourselves against this military organization?

Answer. Yes, sir; that was my understanding of it at the time.

Question. Your evidence was—you didn't go into that with the intention of attacking these other parties?

Answer. No, sir; I did not.

Question. But only to protect yourselves against aggression?

Answer. Well, when I went into the thing—I can't hardly tell what my motives were for going into it—I didn't hardly believe there was such a thing really in existence when I joined. Well, I didn't know what it was.

Question. That was what you learned afterward?

Answer. Yes, sir.

Question. That it was not to be aggressive, but to resist the attack from these other parties?

Answer. Well, that was my understanding of it at the time this thing occurred, of Captain Parker.

Question. Well, do you recollect about the date when this matter was communicated to you about Parker?

Answer. I don't remember the precise date. It was in September or October. I couldn't remember which.

Question. You say not more than two or three weeks after you first got acquainted with him?

Answer. Not more than two or three weeks after I first got acquainted with him.

Question. Well, just state whom you met first. About what time was it when you first met any one in relation to this matter of Parker—what time in the day?

Answer. It was after night.

Question. After night?

Answer. Yes, sir. It was after eight o'clock at night.

Question. It was after 8?

Answer. No, sir. It was after dark, though.

Question. Somewhere between 7 and 8, then.

Answer. Yes, sir. It was before 8—when, I don't remember, exactly the date, sir. It was before 8 o'clock some time.

Question. Whom did you meet?

Answer. Mr. Burrow was the first man that came to me.

Question. What is his name?

Answer. Leroy Burrow.

Question. Where did you hear it?

Answer. He came to the store I was staying in, of Greer & Bancum's.

Question. What did he tell you?

Answer. That there was a man to be killed, and that I must get ready and go with them to help do it. I asked who it was, and he said it was this Captain Parker; he was a spy and had been detected; that his letters had been intercepted as a spy, and that we would all be arrested if it was not stopped.

Question. Well, where did you go then?

WITNESS. When?

Mr. GALLAGHER. After he told you—after he communicated that fact to you.

Answer. Well, I got ready, and changed my coat, and he and I went to the sulphur springs.

Question. How far was that from where he saw you?

Answer. It was not over two hundred yards.

Question. And whom did you find there?

Answer. Found Mr. Holland, Mr. Edwards, and Mr. Brundridge.

Question. How long after that did Mr. Parker come?

Answer. Well, sir, a few minutes. I don't remember the time—it wasn't—it was a short time.

Question. Who did you say was with him?

Answer. Mr. Russell was with him.

Question. Did Parker come up and join you?

Answer. He stopped at the steps.

Question. Where you were?

Answer. Yes, sir. We spoke to him.

Question. What did Russell do then?

Answer. Mr. Russell came over the steps ahead of Mr. Parker, and walked on to the spring.

Question. Well, how long did you talk with Parker before you arrested him?

Answer. Well, sir, a short time. It was not long. Just as soon as we could arrest him and gag him. It was a very short time we talked to him.

Question. A minute or two before you arrested him?

Answer. Well, sir, I don't remember. It was not exceeding five minutes before we arrested him. It was after Russell passed the steps.

Question. Russell had gone on before you arrested him?

Answer. Yes, sir; he came over first. We all spoke to Captain Parker, and there was something remarked about its being nice weather, or a beautiful night, or something of that kind; but, probably, that was as he was going up on the steps, as he spoke; and when he got on top of the steps he was arrested. Mr. Russell had walked on, ahead of Captain Parker, to the spring.

Question. Who gave the order of arrest?

Answer. I think Mr. Brundridge—William Brundridge—gave the order of arrest.

Question. Do you know whether Russell heard the order of arrest given?

WITNESS. Do I know whether Russell *had* the order given?

Mr. GALLAGHER. *Heard* the order given?

Answer. I do not. I couldn't tell whether he heard it or not.

Question. How far was he off?

Answer. Well, sir, not over twenty steps.

Question. Did he come up and join you after that, that night?

Answer. No, sir. If he did, I don't remember it. I have no recollection of seeing Mr. Russell until after Captain Parker was killed.

Question. And then you took Captain Parker off?

Answer. Yes, sir.

Question. Well, did Russell have anything on his arm when he came there?

Answer. He had a bucket,

Question. And went to the spring?

Answer. Yes, sir; I remember—

Question. What sized spring was that?

Answer. Well, I don't remember.

Mr. WILLIAMS. Did he say Russell had a bucket?

WITNESS. Yes, sir; he had a bucket on his arm.

Mr. GALLAGHER. What kind of spring is that?

Answer. Sulphur spring.

Question. A large spring—copious?

Answer. Yes, sir.

Question. Persons in the town use it?

Answer. Yes, sir; most every person in the town uses it.

Question. How large is Searcy—how many inhabitants?

Answer. Well, sir, I suppose there are twelve or fifteen hundred. I don't know.

Question. In regard to the killing of Parker, that you allege took place—were you not actuated by the belief, and those with you, it was necessary, to save yourselves from destruction, and your family, and the people, from this opposing organization?

Answer. Yes, sir; that was my belief, sir.

Question. And that is what actuated you and the rest of them?

Answer. Well, I don't know in regard to the rest of them; I know it was in regard to myself.

Question. That, you understood, was the ruling power of all of you?

Answer. Yes, sir.

Question. In fact, Burrow told you so, I believe.

Answer. That was my understanding, sir. I don't know what the ideas of the other parties were at all.

Question. Now, Mr. McCauley, having got through with that portion, let us come to your arrest. Do you recollect particularly the time you were arrested—the day?

Answer. I remember the day of the week. I don't remember the date. I think it was on the 21st of March—Sunday. I believe it was the 21st. It was Sunday.

Question. What year?

Answer. In 1870—in sixty—it was in 1870—March, 1870. Yes, sir; it was in 1870.

Question. Who arrested you? Just state the circumstances of your arrest, and why you were arrested.

Answer. Well, George Goad and Jim Goad were the men. I didn't submit to their arrest until General Danforth and one or two other parties—George Hughes, and—I don't remember the others—

Question. State where it was, and all the circumstances.

Answer. Fairview, Independence county. I was out at the gate, and had no idea of such a thing as being arrested; never thought once of it. I had seen Goad the day before, and gave him some papers to sue on. He was constable. I supposed that was what he was after—to get some instructions in regard to it, or notify us in regard to the trial. I was in my shirt-sleeves and bareheaded. He told me he wanted to see me, and I went outside the gate, and he remarked that he had a writ for my arrest. I asked what it was for, and he told me he didn't know. I asked him to read it, and he couldn't read it. I taken the writ from him and saw that Mr. James Russell's name and mine were in the same writ, for any officer to arrest us; that they had reasonable grounds to suppose we were guilty of murder. I told him that that was all fudge; that I should certainly not go with him.

Question. That was to Goad?

Answer. Yes, sir. My uncle was sitting on his horse, and I told him "Here is a writ for my arrest on a charge of murder," and that I wasn't going, and he got down to look at it, for I had done read it; and he asked Mr. Goad where the writ come from—who brought it—and he said General Danforth; and just then General Danforth and George Hughes and another gentleman came riding around the corner of the field. I don't remember the name; it was some militia one, that lived in White County. James Goad looked up and said "Here is General Danforth now." He came up; I was introduced to him; and General Danforth told me to get ready to go to Little Rock. I asked my uncle what I must do about it, and he seemed confused, but told me he didn't know, hardly, what to do in the matter; and I saw it was useless to make any resistance. I had nothing; and I told him of course I would submit to the circumstances.

Question. Then what did they do with you?

Answer. They carried me to Little Rock. Well, they arrested me right there. General Danforth told me to get ready to go to Little Rock, and as quick as I could get ready I went in.

Question. Did you see that writ; from whom it purported to issue?

Answer. I think, from Judge Bowen.

Question. Of the supreme court?

Answer. Yes, sir.

Question. Was your name in the writ?

Answer. Yes, sir—"Bunk" McCauley.

Question. To arrest you, and what else?

Answer. To arrest Bunk McCauley and James W. Russell; that they had reasonable grounds to suppose we were guilty of the crime of murder was the way the writ read—that they had reasonable grounds to believe we were guilty of the crime of murder.

Question. Did it state the murder of any particular person?

Answer. No, sir; it did not.

Question. What time did you get to Little Rock?

Answer. I got to Little Rock, on this side of the river, I guess between 2 and 3 o'clock in the evening—it may have been—well, I think it was from 2 to 3 o'clock.

Question. When did you cross?

Answer. Between 3 and 4.

Question. Where did they carry you to then?

Answer. To the State-house.

Question. Whom did you see there ?

Answer. I saw several persons.

Question. Name those you saw.

Answer. I saw Governor Clayton, Colonel Barton, and the deputy sheriff, Jim Vance—I was introduced to him, though, before I got to the State-house—introduced to Vance soon after I arrived. Where was I carried to first ?

Mr. GALLAGHER. Yes.

Answer. Well, the first place I was carried to was a saloon to get something to drink. [So understood by stenographer.]

Question. Went to get something to eat [so heard] and then was carried to the State-house ?

Answer. Yes, sir.

Question. Have any conversation with the parties at the State-house ?

Answer. I had some little conversation—was introduced to Governor Clayton.

Question. What occurred between you and Governor Clayton ?

WITNESS. At the State-house ?

Mr. GALLAGHER. Yes, sir.

Answer. Nothing, only the usual compliments on an introduction. There was nothing in regard to this case, though. Only, I remarked, we had a very unpleasant trip, and mine was unusually so, owing to my being under arrest—it was very muddy, and so—traveling.

Question. There wasn't anything said in relation to this matter ?

Answer. No, sir ; nothing only that.

Question. Where did they carry you to ?

Answer. To Little Rock jail—Pulaski County jail, I suppose it is.

Question. What day did you get there ?

Answer. On Monday.

Question. That evening they carried you to the jail ?

Answer. Yes, sir.

Question. Where did they put you ?

Answer. In a cell.

Question. One or two stories to the jail ?

Answer. Put me in the lower story.

Question. There are two stories, then ?

Answer. Yes, sir.

Question. Well, did any of them come to see you that evening ?

WITNESS. Before night ?

Mr. GALLAGHER. Yes.

Answer. No, sir ; there was some lawyers came in—Newton and Gallagher, and Clark, and Williams—some one came there with a dispatch, and the jailer wouldn't let them in to see me—before night—just before night.

Question. Did they see you that day or night ?

WITNESS. Those lawyers ?

Mr. GALLAGHER. Yes, sir.

Answer. No, sir ; they did not.

Question. Well, who came to see you that night ?

Answer. Well, sir, I saw Governor Clayton that night, and Captain Stephen Wheeler.

Question. They came round to the jail, did they ?

Answer. Yes, sir.

Question. Did they have an interview with you ?

Answer. They did.

Question. Where held ?

Answer. In the dining-room of the jail, where the jailer's family eat.

Question. Any other prisoners there ?

Answer. No, sir.

Question. Well, did this matter of Parker come up ?

Answer. It did.

Question. Well, what occurred between you ?

Answer. Well, there was considerable conversation in regard to it.

Question. Well, just state everything that was done, and what was told you, and what promises were held out, and so forth.

Answer. Governor Clayton, when I first went into the prison—I mean into the dining-room—when I went into the dining-room I spoke to Governor Clayton, and he remarked to me that he came to talk to me in regard to this Parker affair.

By Mr. WILLIAMS :

Question. What time was this ; about 9 o'clock at night ?

Answer. I don't think it was after 9 o'clock. It may have been, but I don't remember the exact date, under the circumstances. He told me he had come to talk with me

in regard to this Parker affair, this man that was killed at Searcy. I told him I knew nothing about it; that he had come to the wrong man. And he told me there was no use for me to say that; that one party had sold the thing out—had betrayed the thing, and told everything he knew about it, and that he could convince me that they had. I told him if he could convince me, probably I would have a different idea in regard to it; and he sat down and told me the whole circumstances of the killing of Parker, from the beginning up—told me of things that I had entirely forgotten myself; and told me that, through the influence of Captain Wheeler, he proposed, if there was any leniency shown to any one, he would show it to me; that he had the whole thing; that there was another one of the party had proposed to tell it, and was only waiting for an opportunity; and it was through the influence of Captain Wheeler that he would make such a proposition to me. I told him I would like to see Captain Wheeler, and asked him if he was in Little Rock. He said he was out in the yard. Captain Wheeler was then called into the room, and Governor Clayton remarked to Captain Wheeler that he had convinced me that he knew all about this thing, and Captain Wheeler then remarked to me that the governor did know the whole thing; that one party had sold it out, and there was another one wanting to do it, and the only reason he hadn't was because he hadn't the chance; and he had told Governor Clayton if any one was shown any leniency he would like it to be me. I asked Governor Clayton's advice, and appealed to him as a man, and as the governor of the State. I told him I hadn't seen any friends, nor any one to advise with, and appealed to him every way, and asked him as a man, outside of his official duty, or anything of the kind, to tell me what to do; and he and Captain Wheeler told me I was very foolish if I didn't give evidence in it; that one party had sold it out, and another was only waiting for an opportunity, and they were going to have the evidence, and if I didn't they would; and I stated substantially the evidence I have given in.

Question. Who did he tell you was the man that had already sold out?

Answer. They didn't tell me who the man was.

Question. Did they tell you who the one was that wanted to do it?

Answer. They led me to believe, sir, that it was Mr. Burrow, and they remarked in the conversation in reference to it, there was one who had proposed to do it. I asked them if it wasn't Leroy Burrow, and Governor Clayton nor Captain Wheeler neither one said it was or was not, but led to believe it was Mr. Burrow, and it caused me to believe it more than ever, because he had been suspicioned at Searcy of not being sound now.

Question. Didn't they also say they would soon have him there?

Answer. Yes, sir—no—hold on.

Question. Or that he would soon be there?

Answer. No; I do not know that.

Question. Didn't mention any name, but that the one they wanted would soon be there, and advised you to expedite and make haste?

Answer. No, sir; I do not remember that they said that. If they said it I do not remember it.

Question. Well, where were you put then, after this?

Answer. Put that night?

Question. Yes; what became of you that night?

Answer. Well, sir, I was put back in one of the cells in the prison with a lot of negroes and white men, too. I believe there were ten or eleven in a cell twelve feet square.

Question. Whites and negroes under accusation of crime?

Answer. Yes, sir.

Question. How long did you stay in the cell?

Answer. I think I staid there until Wednesday or Thursday.

Question. Then where did they put you?

Answer. Put me up-stairs, sir, in another room—in the condemned prisoners' room.

Question. In the debtor's room?

Answer. In the condemned prisoners' room, where they put condemned prisoners in chains. There is no cell there.

Question. There are two cells, the condemned prisoners' and the cell—

Answer. Well, I was put first in the condemned prisoners' cell, and afterward was moved into the front room, and requested to be put back in the other room.

Question. How long afterward was it when Burrow was put there?

Answer. I think it was Friday evening.

Question. The Friday following?

Answer. Yes, sir; I believe it was Friday evening—I don't remember, sir.

Question. When did you see Russell, Edwards, and Holland there?

Answer. I think Russell was brought in Friday evening; I don't remember when I saw Mr. Holland and Edwards; probably they got there Saturday morning.

Question. That same week?

Answer. Yes, sir.

Question. Well, all these representations of the governor were what caused you to turn State's evidence, was it?

Answer. What representations?

Question. That you would be protected and not punished?

Answer. Well, of course, I knew that if I turned State's evidence under those circumstances I would be protected and not punished, and that if I did not turn State's evidence other parties would.

Question. To save yourself you agreed to it?

Answer. Of course, there was no other reason in the world.

Question. Did you have any other communication with Governor Clayton after this?

Answer. I saw Captain Wheeler two or three times after that.

Question. You were indicted in Searcy, were you not?

Answer. I was indicted in White County, but I changed the venue to this place.

Question. Did you get a change of venue to this place from White County?

Answer. Yes, sir.

Question. Do you recollect when you were indicted—in what county?

Answer. I was indicted in White County. It was May or June; in the spring term of White County circuit court, 1870.

Question. Eighteen hundred and seventy?

Answer. Yes, sir.

Question. Are you out on bail now?

Answer. I am.

Question. Under that White County indictment?

Answer. Yes sir.

Question. For five thousand dollars bond, the same as the other parties are, I suppose?

Answer. Yes, sir.

Question. It was asked you by the State if Holland was not mayor of Searcy, or, rather, if he didn't fill some place there?

Answer. He was mayor in 1863.

Question. He was mayor in 1868?

Answer. Well, I was wrong in regard to that question; I think the question was, he was mayor at the time he was arrested?

Question. Yes; because he was not arrested till 1869.

Answer. I was mistaken in regard to the question.

Question. You mean that when he was arrested he was mayor.

Answer. Yes, sir; I am not positive. I think he was mayor at the time he was arrested.

Question. Did you see Holland and Edwards and Russell in the jail—lower part of the jail there?

Answer. Yes, sir; I saw them.

Question. Were they put in before you were taken up-stairs?

Answer. I saw them in there afterward.

Question. Well, what kind of a jail did they have there?

Answer. Iron cages.

Question. What kind of iron cages?

Answer. The iron cages were twelve feet square, and they had from nine to thirteen men in a cage; niggers and whites together.

Question. Well, what kind of a place was it above stairs; how was that?

Answer. Well, sir, there was only three confined in the room I was in. Sometimes there were about a dozen.

Question. What kind of a room was it?

Answer. It was a common, ordinary room in the prison. It was more comfortable than the room below. We were not so crowded. I had a mattress to sleep on. I boarded with the jailer.

Question. How was it above and below about ventilation?

Answer. Well, it was better above than below, of course. It was up-stairs—not so crowded.

Question. In regard to that impression that was made on you by Parker, the first time you saw him was he not on a spree?

Answer. I do not know that he was on a spree; he was drinking. I saw him take one or two drinks when I was introduced to him.

Question. And was he pretty lively?

Answer. It was owing to the man he was introduced to. I saw him introduced to several, and his whole style and manner would change with every one. He seemed to know his man. He was smart enough to change his manners and style to suit every one he was introduced to. That was the impression I formed of the man when I was introduced to him.

Question. Did he talk about his politics when he was introduced to you?

Answer. No, sir; he did not.

Question. It was afterward?

Answer. He came there twice. He talked but little to me of politics. He was drinking when he got acquainted with me.

Question. Who introduced him?

Answer. I do not know, sir, who it was. There were six or eight in the room. Mr. Brundridge was one; Mr. Le Roi Burrow was another.

Question. Were you all taking a drink together?

Answer. Yes, sir.

Question. Did you take more than one?

Answer. I took only one.

Question. How many did the other parties take?

Answer. Several.

Question. How long did you remain together?

Answer. I do not know.

Question. Did you not know Parker was a Texas desperado, who left his country for killing a man?

Answer. No, sir; not until after he was killed. I did not understand anything about it; not from him.

Question. Did you not know it before he was killed?

Answer. No. I had that impression made on me after he was killed; not before.

Redirect examination :

Question. You stated, Mr. McCauley, that you read the warrant for your arrest yourself?

Answer. Yes, sir.

Question. It didn't disclose what murder you were arrested for?

Answer. No, sir; it did not.

Question. Had you not an idea, from the association of names, what murder it was?

Answer. Well, yes; I supposed what the arrest was for, but still I didn't know.

Question. You state that your impression was that this Ku-Klux Klan was military in its character, to oppose some other military organization. What other military organization was it?

Answer. It was the Union League.

Question. Was that military in its character?

Answer. No; I do not believe it was in those words. My understanding of this Union League business was that it was military in its organization.

Question. Who explained that to you?

Answer. Well, I do not remember now who—probably—I do not remember. I believe Colonel Frolich explained it at first; afterward E. N. Hall, of Cannon.

Question. What was his official position?

Answer. Well, I do not know positively what it was. I have heard what it was. He was Grand Titan of the district in which he lives.

Question. Of that congressional district at that time?

Answer. Yes, sir.

Question. Well, he said it was to resist evil?

Answer. Yes. I talked with him in regard to that thing.

Question. Well, you say that in giving the statement to Governor Clayton and Captain Wheeler at the time was based upon the ground that you were all gone up, and that you could not make it worse?

Answer. Of course.

Question. You would not have given the statement, then, unless you thought the whole thing was up?

Answer. No, sir; I would not ever have said a word.

Question. You mean if you had not regarded the thing as dead you would not have said anything about it?

Answer. Yes, sir; that is what I mean.

Question. You stated you feared some man to make this statement; who was this man?

Answer. Le Roi Burrow.

Question. Why did you fear him? Did you fear him drunk or sober?

Answer. I feared him—well, I was afraid he would get to drinking; that he was suspicious in Searcy as not being very sound.

Question. Sound, how?

Answer. That he would probably turn traitor.

Question. And let the cat out of the wallet?

Answer. Yes, sir.

Question. You state that Clayton recalled things in this tragedy that you had forgotten—conversation and such things as that?

Answer. Yes, sir; he mentioned several little circumstances which I had forgotten.

Question. Well, was the proposition from him to you that you should tell what you did not know, or what you did know?

Answer. To tell what I did know.

Question. And what you have stated is what you know of your own knowledge?

Answer. Yes ; it is what I know myself. I tell it just what I know of it.

TESTIMONY OF H. H. PUGH.

H. H. PUGH, a witness on the part of the prosecution, called and sworn.

Examined by the PROSECUTING ATTORNEY:

Mr. Gallagher informally inquired of the witness whether he had heard the testimony given in the case.

The witness replied in the negative.

[F. M. Chrisman, a witness on the part of the prosecution, having been sworn and placed under the rule.]

Question. What is your name?

Answer. H. H. Pugh.

Question. What is your profession?

Answer. A lawyer.

Question. Where do you reside?

Answer. Little Rock.

Question. Were you acquainted with Albert H. Parker, in his life-time?

Answer. I was.

Question. Where did you first meet him?

Answer. In Little Rock.

Question. How did you ascertain his name?

Answer. From himself, and his acquaintances representing themselves as knowing him a number of years.

Question. Met him in Little Rock?

Answer. Yes, sir.

Question. What year; do you remember?

Answer. It is three years ago, I believe.

Question. In 1868?

Answer. Yes, sir; in this State. [In reply to the inquiry of the stenographer, and Mr. Gallagher's suggestion of a misunderstanding on the part of the witness, witness added:] It was in 1868. I didn't understand the question.

Question. Where did he leave Little Rock to go?

Answer. To Searcy.

Question. Under what circumstances, state to the jury.

Answer. He went there for the purpose of arresting two men that had shot at Mr. Wheeler and Mr. Hicks.

Question. What Mr. Wheeler?

Answer. General Wheeler; I don't know his initials.

Question. Stephen Wheeler?

Answer. Stephen Wheeler. Mr. Hicks's name I don't know.

Question. In what county was that said to have occurred?

Answer. In White County.

Question. Under what circumstances did he go; how was he induced; who induced him to go?

Answer. He and I conversed about it. I introduced him to Governor Clayton, and he went upon Governor Clayton's authority. I went with him to introduce him to Governor Clayton myself.

Question. Did you know where he was from?

Answer. He was born, he told me, at Fredonia, New York, and was born and educated in the State of New York.

Question. Describe him; what kind of a looking person was he?

Answer. A medium-sized man, dark complected, round face, rather round features, darkish eyes, dark hair—brown hair; a man probably five feet seven or eight inches high. I don't think he was quite so tall as I am.

Question. You introduced him to Governor Clayton?

Answer. I did, sir.

Question. For what purpose?

Answer. For the purpose of having him go up there to arrest the two men that committed this deed—shot Mr. Wheeler and Mr. Hicks.

Question. Who introduced him to you; do you remember?

Answer. I think Mr. Granger—D. B. Granger, if my recollection serves me.

Question. Did Governor Clayton send him after the first interview with you?

Answer. No, sir; he did not.

Question. What was the reason?

Answer. Well, he did not know whether he was a reliable person to send or not.

Question. Was he afterward satisfied or not?

Answer. Well, yes; I think he was.

Question. And sent him?

Answer. Yes.

Question. Did you have any communication with him afterward in regard to this?

Answer. I did.

Question. What?

Answer. In reference to the arrest of these two men. One of them was—that is, was reported in Van Buren County, and the other in White County.

Question. About what time in the year 1863 was it that he went over there; do you remember?

Answer. It was along about the 1st of October, if I recollect right. It was some time ago. I have not had the thing recalled to memory. It so strikes me.

Question. Did you ever see him after he went over there?

Answer. I never did, sir. I received two letters from him, and wrote him two or three. He acknowledged the receipt by mail, by letter. I knew his handwriting. Part of it was written in cipher. I understood it. I know it was his handwriting. It was mailed at Searcy.

Question. You are positive as to his object in going over there?

Answer. Yes; it was to arrest those men.

Question. And not to stir up strife or injure anybody?

Answer. No, sir.

Question. Did you regard him as a person of culture and sharpness, or how?

Answer. He was what I would call a polished young gentleman. That is, he was educated, possessed good business faculties, and was quick and discerning.

Question. You say the object Governor Clayton had in sending him there was to ferret out the persons who had shot Mr. Hicks in White County?

Answer. Those were Governor Clayton's instructions to him.

Question. And that was his object in going?

Answer. Yes; I so understood, and he so stated.

Question. Were you at that time a member of the Union League?

Answer. I believe I was.

Question. Was that a military organization, or what was the salient feature of the organization?

Answer. Well, it was a political organization, for the purpose—pledged to each other to support the nominee—the nominee of the party.

Question. Was there any military feature connected with it?

Answer. None whatever.

Cross-examination by Mr. GALLAGHER:

Question. Mr. Pugh, when did you first meet Mr. Parker?

Answer. It was some two, three, or four months before he went up to Searcy.

Question. Where was he from? Did he inform you where he was from—to this State?

Answer. O, he told me his whole history a dozen times. He said he was born and raised in Fredonia, New York, and lived in Quincy and Saint Joseph, Missouri, and served on General Roan's staff, and at Little Rock and Pine Bluff, and so on, and was a quartermaster, I believe, in the confederate army.

Question. Had he been in Texas?

Answer. Yes, sir.

Question. A quartermaster of General Roan?

Answer. He served as an ordnance officer and as a quartermaster with Mr. Moore, who is in Tucker's office. He told me he served in those capacities.

Question. Where did he say he came from directly to this State—where did he come from when he came to Little Rock?

Answer. I do not remember that he ever told me the particular locality.

Question. Did he tell you any State—the State that he came from here?

Answer. Well, he told me that he had a "curry" yard and ranch of horses and raising stock in Texas, and that he had been driving some stock North and was going back.

Question. In what part of Texas did he have a "curry" yard?

Answer. I do not remember.

Question. Whereabouts North had he driven?

Answer. I do not remember that.

Question. Do you know what State he had driven them to?

Answer. I presume it was Missouri, but am not positive.

Question. Did he tell you how old he was when he left New York?

Answer. No, sir; he might have done it.

Question. From the drift of the conversation, how old do you suppose he was when he left New York?

Answer. O, I do not know, sir; formed no conclusion or deduction from the conversation.

Question. I thought he gave you the history of his whole life?

Answer. He did; but it is like a thousand other men who give me a history of their lives.

Question. Where did he go from New York?

Answer. I do not know, sir. He told me he had been in business in Quiney, and some place up on the St. Joe road, in Missouri.

Question. And where did he go to after that? Did he tell you?

Answer. No.

Question. Didn't tell you where he came from?

Answer. Well, he told me he was here in the confederate army. I—

Question. Well, when he left Missouri, after the war—after the confederate army had disbanded or surrendered—where did he go to then? Did he tell you?

Answer. The next place he told me he was, that I remember, he was in the confederate army, and that he was here in Little Rock when he was commissioned.

Question. After the surrender of the confederate army where did he go to then? Did he tell you?

Answer. I do not remember that he did.

Question. He didn't tell you?

Answer. Well, he might have done so, but I don't remember.

Question. What year was that that you first got acquainted with him?

Answer. I think 1868.

Question. And did he tell you how long he had been in Texas establishing his "curry" yard?

Answer. No, he didn't. My recollection is, he had bought out somebody there. A small ranch is the way I put it up.

Question. And he didn't tell you where he carried his stock to sell it?

Answer. No, sir.

Question. Nor when he left Texas?

Answer. No, sir.

Question. How came you to make his acquaintance?

Answer. I was introduced to him, I think, in Mr. Granger's office, and met him frequently at that time.

Question. Which Mr. Granger?

Answer. Daniel B. Granger, lawyer.

Question. Did you approach him on the part of Governor Clayton?

Answer. I introduced him to the governor.

Question. When you first became acquainted with him, how came you to be acquainted with him; just a casual acquaintance?

Answer. Yes, sir.

Question. How came you to introduce him to Governor Clayton?

Answer. Mr. Wheeler had come down wounded to Little Rock, and he said he was opposed to the system of outlawry and men being murdered, and thieving, and robbing, and stealing, and expressed himself in very strong terms, and said if Governor Clayton would give him authority he would go up and get them, though he had served in the confederate army. He was opposed to it, and he would go up and get them—Lewis or some other gentleman or man.

Question. Where was this conversation?

Answer. In the Bender building, I think.

Question. In the office?

Answer. Mr. Granger's.

Question. How did the conversation come to spring up?

Answer. Well, sir, I could not tell you.

Question. Just in casual conversation?

Answer. It arose from conversation in regard to Mr. Wheeler's being shot and wounded, and shot at several times.

Question. Did he know Mr. Wheeler at the time?

Answer. I do not think he did; I do not know.

Question. Did Governor Clayton authorize you to get some person to come up here to hunt up the persons who shot Wheeler?

Answer. No, sir.

Question. Did you take him up and introduce him to Governor Clayton?

Answer. I did.

Question. What conversation ensued between them?

Answer. Between Governor Clayton and him?

Question. Yes.

Answer. Well, I do not know that I remember it all. I can give a synopsis of it. He wanted to know first if he was acquainted up there, and he said there were five or six of his acquaintances there who had served in the confederate army with him—good southern men. He asked him if he thought he could go up there and get these men. He said he thought he could. The Governor talked with him some time about it, I being present, and he told him he would come up again some time and talk with him about it.

Question. When was he there again?

Answer. I think it was the next day.

Question. You were with him?

Answer. Yes, sir.

Question. What did the governor say?

Answer. That if he thought he could go up there and get these men that committed this crime he would be sustained as far as he could through the law and be protected. He told him he had five or six acquaintances there, and he said there was no doubt of his being able to make the arrests if he could have the proper authority. Governor Clayton told him if he would do so he would have the authority, and he left with that understanding.

Question. Did he give him any authority in writing?

Answer. I do not remember.

Question. You were present?

Answer. Yes, sir.

Question. When he left?

Answer. When he and I went out of the room.

Question. How long after that did this man go to leave?

Answer. I think the next day or the day after he came on a train here, and said he was coming up this way and going on the boat.

Question. Do you know if he had any further interview with Governor Clayton?

Answer. Well, only from what he stated to me himself.

Question. Was he paid anything for it?

Answer. He was to get only the reward that was offered—a thousand dollars.

Question. Where was it stated that these men had shot Wheeler at?

Answer. Well, I do not remember; it is some place near Stony Point or some other "Point" on the road; I forget the name.

Question. What about the one in Van Buren county?

Answer. He said—he wrote—to me that one of them was in Van Buren County, and another—named Lewis, I believe—in White County; the other "had gone up in the mountains" were his own words, as he wrote.

Question. Anything about Ku-Klux in your conversation?

Answer. Nothing to me.

Question. In that conversation with Governor Clayton?

Answer. No, sir; nothing.

Question. His employment was only for that specific purpose?

Answer. Yes, sir; the word Ku-Klux was not used.

Question. Was he a member of the Union League then?

Answer. No, sir; I think not, because he was a Seymour democrat and wouldn't be likely to have been.

Question. Was there any particular oath in the Union League?

Answer. No, sir; not what you might call particular, no more than an obligation to support the Constitution, the laws of the State, and of the United States, and to support the nominee of the party.

Question. Was that all the—

Answer. That was about all, sir, as far as the oath was concerned.

Question. Was there an order called a branch of the Grand Army of the Republic here?

The WITNESS. Here?

Question. In Little Rock.

Answer. Well, I believe there was, at one time. I do not know, but I thought there was. I am not positive about it.

Question. Did you belong to it?

Answer. I belonged to the Grand Army of the Republic.

Question. Did you belong to it in Little Rock?

Answer. I believe I met with them once.

Question. Was that a military organization?

Answer. It never was my understanding that it was so. It was a fraternal organization of the old soldiers—the Union soldiers of the Army.

Question. Were there not post commanders and everything of that kind?

Answer. O, yes; what they called post commanders, the president of the organization or association.

Question. Didn't they issue orders in the papers at Little Rock, calling them to attend at the meetings?

Answer. I could not say about that.

Question. Never saw any? Who is the presiding officer?

Answer. I don't know. I take the journal of the Grand Army of the Republic; but I couldn't say. It was John A. Logan, or Hancock—I think it was Hancock—I don't know which. It might have been Hancock.

Question. Didn't you read the orders of General Logan, announcing himself as commander-in-chief?

Answer. I don't know.

Question. Do you read the republican papers?

Answer. Yes, sir; I might have seen the orders. I don't know.

Question. What was the oath of the Grand Army of the Republic?

Answer. To support the Constitution of the United States, the laws of the State, to sustain the widows and orphans of the deceased soldiers, and crippled soldiers, and protect each other fraternally, as brotherly.

Question. Was it not to protect each other under all circumstances?

Answer. As I understood it, in a business point of view, they were to give each other assistance in preference to others that did not belong to them and hadn't belonged to the Army.

Question. Were they not to do it politically?

Answer. No, sir; democrats and republicans both belonged to it. I don't think there ever was but three meetings, in Little Rock, of the Grand Army of the Republic—two or three meetings. Don't think there has been any commandery in this State, as far as my knowledge goes; there is none reported, at least, in the Journal, and I take it. There were, I think, three meetings, and I attended them. I belonged to it in Nashville, Tennessee, and when I was in the Army.

Question. Was it not to support the republican party?

Answer. No, sir; there was nothing of that kind in the Grand Army organization.

Question. Was not the Union League an organization bound to support the republican party?

Answer. To support the nominee of the republican party.

Question. Were they not to protect each other?

Answer. Nothing further than one citizen protects another. There was no protection, particularly, further than the ballot-box or the vote.

Question. Were they not to protect each other against what is called the Ku-Klux, or White-Camelia, or—

Answer. No, sir, there was nothing of that kind; there was nothing in the constitution, or oaths, or grips, more than pledging themselves to support the nominations of the party, and the way they might know each other.

Question. Were they not to oppose the democratic party, or whatever it was called—the conservative party?

Answer. I don't know there was any opposition to the democratic party. It was for the purpose of building up the republican party and keeping them in it.

Question. And you say in the conversations of Governor Clayton and yourself, with Parker, his sole object was to find out who had shot at Mr. Wheeler, was it?

Answer. That was what Mr. Parker went to Clayton for; for the purpose of going up to ascertain and arrest those persons. Governor Clayton gave him authority to go and do it; told him to go and do it, and that was all the authority. In fact, I heard all the conversation that took place between them, I think; I am satisfied of that.

Question. There was nothing authorizing him to examine into any other matter, was there?

Answer. No, sir.

Question. You had never heard of any other political society?

The WITNESS. Who?

MR. GALLAGHER. You hadn't?

Answer. Well, I couldn't say that. I have heard of them ever since I was a boy?

Question. Secret political societies?

Answer. I don't know whether you call them secret or not; organizations going under different names. Local affairs had their different little rings.

Question. But you had never heard of Ku-Klux, or White Camelia, or anything of the kind? You had never heard of Ku-Klux?

Answer. No, sir.

Question. And it was not mentioned in the conversation?

Answer. No, sir.

Question. You think he left a day or two after the second interview which he had?

Answer. Yes, sir.

Question. You don't know whether Governor Clayton gave him any authority, in writing or otherwise, except just telling him to go?

Answer. I think the understanding was that, if he found these parties, warrants, or proper papers, would be forwarded to him.

Question. That was stated in your presence, was it?

Answer. Yes, sir.

Question. Papers were given him—?

Answer. I don't know. I didn't see anything given him or know that it was. He went to ascertain. If he found these parties he was to report, and Governor Clayton was to assist him in making the arrest.

Question. Just reiterate your description you gave of Mr. Parker—what you said before.

Answer. Well, he had dark hair, or brown hair, round face, round featured, dark eyes, I should think; about five feet eight inches high, I should judge he was—nothing only from memory, and judging from his height.

Question. What kind of complexion did he have?

Answer. Well, he was fair complected, not light; an ordinary complexion with dark hair—a dark-bearded man. His hair was not black, right jet black, as my recollection is. I will not be very positive about that—dark hair.

Direct examination resumed:

Question. What time did you first hear of the order of the Grand Army of the Republic in this State?

Answer. Well, that was about the time; about three years and a half or four years ago.

Question. What time the Union League?

Answer. Well, that is nearly the same time.

Question. Did you ever know of either of those organizations issuing orders to have citizens here murdered?

Answer. There never were any such orders issued, to my knowledge.

Question. Was it any part of the policy or law of those organizations?

Answer. No, sir. I organized twenty or thirty of them, and never knew of—

Question. Ever hear of any of them killing anybody and throwing him in a well?

Answer. Never did.

Question. Had they any oaths in it that they had to obey the orders of superiors under penalty of death?

Answer. None. There were none of that kind at all.

Question. How long was it after he went over there, as near as you can recollect, until you received a letter from him?

Answer. About seven, about eight days—seven or eight, after he left Little Rock.

Question. Received a letter dated where?

Answer. At Searcy.

Question. How long after that before you heard of his death?

Answer. About three days afterward I received another, and about a week afterward—something in the neighborhood of five, six, or seven days—I heard that he had been killed.

Question. Do you know whether the organizations of the Union League and the Grand Army of the Republic exist yet?

Answer. No, sir; I do not—not this year.

Question. Up to how late a time did they exist, to your knowledge?

Answer. Well, last fall, during the last election—canvass.

Cross-examination resumed:

Question. Did you never hear of any man being killed and thrown into the river up here other than by the Ku-Klux?

Answer. [The answer of the witness was not audible to the stenographer.]

Question. Have you heard of men being killed near Augusta and thrown in?

Answer. I have heard it reported of some men being killed over at Augusta.

Question. By the Ku-Klux? Did you hear of their also being thrown in the river and disappearing and never being heard from?

Answer. Yes, sir; I believe I heard a report of that kind.

Question. Is it not a part of the public history of the country?

Answer. Well, I couldn't say about that.

Question. Was it not reported the same way as the other matter?

Answer. Well, not to me.

Question. But did you hear of the report, though, in the community?

Answer. No, sir; it was told me by one man, I believe.

Question. These facts were told you?

Answer. Yes, sir.

Question. Didn't hear of it as of the current news of the day; didn't hear of it in the paper?

Answer. Well, I don't remember of reading it.

Question. Don't you think you have read it that way?

Answer. I don't know whether it was ever published or not.

Question. Haven't you heard it the common talk on the streets of Little Rock?

Answer. I heard of some men being killed during martial law, over there, and thrown into the river; heard that talk several times; that is all, I believe, I remember of.

Question. Not by the Ku-Klux?

Answer. Well, no; I believe they were killed by militia. I never was in Augusta.

Question. Hear anything about the same kind of acts at Lewisburgh?

Answer. No, sir; I don't remember of ever hearing anything of that kind there.

Question. Heard of men being killed there, have you, other than by the Ku-Klux?

The court stated that it failed to perceive the relevancy of the evidence.

The prosecuting attorney said he had permitted the examination to proceed without objection, so as to give the defense rope. He would be at liberty to pursue a similar course of inquiry.

The COURT. If the witness does not know anything about it personally, he had better not say much about it in any way.

TESTIMONY OF BENJAMIN B. BRADLEY.

BENJAMIN B. BRADLEY, a witness on the part of the prosecution, called and sworn, testified as follows :

Question. What is your name ?

Answer. Benjamin B. Bradley.

Question. Where do you reside ?

Answer. Near Searcy.

Question. How long have you resided there ?

Answer. Some sixteen years, I believe, sir.

Question. Of what State are you a citizen, originally ?

Answer. North Carolina. Last of Tennessee, and then of Georgia.

Question. Are you acquainted with John G. Holland ?

Answer. Yes, sir.

Question. How long have you known him ?

Answer. Some eight or ten years ; I do not remember which.

Question. James W. Russell—do you know him ?

Answer. I do.

Question. How long have you known him ?

Answer. A long time.

Question. William L. Edwards—how long have you known him ?

Answer. Ever since he was a little boy—baby.

Question. Where did you know him ?

Answer. In North Carolina.

Question. Did you know Albert H. Parker in his life-time ?

Answer. I do not know that I did, sir.

Question. Did you know a man by the name of Captain Parker ?

Answer. I knew a man by the name of Captain Parker.

Question. Where did you know him ?

Answer. I do not recollect.

Question. Was it before the war, or afterward ?

Answer. It was after the war, sir.

Question. You are sure it was after the war ?

Answer. Yes, sir.

Question. In what year do you think it was ?

Answer. Well, I expect it has been some two or three years ago.

Question. Are you kin of either of these defendants ?

Answer. I am to Mr. Edwards.

Question. What to Mr. Edwards ?

Answer. Second cousin.

Question. Was it winter or summer that you saw Parker ?

Answer. I do not recollect the time of the year, sir.

Question. How many years do you think it was ago ?

Answer. It must have been two years ago, I guess. I do not know, really.

Question. You can't remember ?

Answer. I never thought anything about the length of time.

Question. Well, when did you last see Parker, this Captain Parker ?

Answer. I never saw him anywhere only at Searcy.

Question. Where did you last see him there—what place in Searcy ?

Answer. Well, I could not state, sir. I have frequently seen him passing around the streets.

Question. Were you a member of the organization commonly called the Ku-Klux Klan ?

Answer. I have heard of such.

Question. Were you a member of such an organization ?

(It is claimed by the prosecution that there is a conspiracy, and witness declines to answer last question on the ground of criminating himself. The court overruled the objection of the witness on the ground that it was not a criminal act, according to the laws of the State at that time, to be a member of the Ku-Klux Klan. Exception reserved.)

Question. Just state to the jury whether you belonged to that organization in 1868.

Answer. I did.

Question. Who initiated you?

Answer. I do not know.

Question. Did you initiate yourself?

Answer. No, sir; I did not say that.

Question. Who were the parties who initiated you?

Answer. Well, sir, they were in disguise.

Question. How disguised?

Answer. They had gowns on.

Question. What colored gowns?

Answer. It was in the night, and it looked dark.

Question. Any buttons on?

Answer. Yes.

Question. How did those gowns look?

Answer. They looked dark, I say.

Question. Was anything on them?

Answer. Something on them that night.

Question. Could you not see the faces of those who initiated you?

Answer. No, sir.

Question. Why?

Answer. Because they were covered.

Question. How many of them?

Answer. I do not recollect now. Four or five.

Question. What kind of a room was it in?

Answer. It was not in a room at all.

Question. Where was it?

Answer. It was out in the woods.

Question. In what county?

Answer. White County,

Question. How far from Searcy?

Answer. Half a mile, I suppose.

Question. You heard, I think, of a man known as Captain Parker around there?

Answer. I heard of him.

Question. Was it before or after you heard of him that you were initiated into this organization?

Answer. I think it was before.

Question. Did you learn who was the Grand Cyclops?

Answer. I did not know.

Question. Who was the Grand Titan?

Answer. I do not know.

Question. Who was the Grand Monk?

Answer. I could not call the names.

Question. Well, what was you in it?

Answer. I was nothing, for I never saw any of them but twice in my life, I think.

Question. Well, was this before or after that you heard—— Did you ever hear of this man Parker being killed, as a matter of public rumor?

Answer. I heard of such a rumor.

Question. Was this before or after you were initiated?

Answer. It was before.

Question. Well, sir, did you have any conversation with Holland, Edwards, and Russell in reference to this?

Answer. No, sir; I did not.

Question. Did you have a conversation with him how a body might be sunk in water? (Objection made.)

THE WITNESS. Let me ask one question. I will have to ask the protection of the court, because if there was a case pending against me I would be committed.

THE COURT. You would be liable if you concealed a crime from the proper officers afterward.

Question. Had you a conversation with Burrow?

Answer. Yes, sir.

Question. In reference to sinking a body?

Answer. Yes, sir.

Question. And you decline telling what it was?

Answer. I do.

Cross-examination by Mr. GALLAGHER:

Question. Did they administer any oaths to you binding you to murder any person?

Answer. They did not.

Question. What was your understanding of that?

Answer. The object, as I understood it, was to form a party for protection of ourselves and the southern people. We wanted to form a party ourselves for our own

protection, not in violation of the law or anything of that kind; nor for the killing of any person or anything of the kind, and the killing of a man was not named.

Question. Was it for the protection of white people against oppression?

Answer. Yes, sir.

Question. And not to attack any one?

Answer. No, sir; not all. Merely as defense against aggression.

Question. Not against the law?

Answer. If that had been the case I should not have wanted to belong to it.

Re-examined by PROSECUTION:

Question. You say the organization was to protect the white people up in your county?

Answer. It was white people that belonged to it, and it was for the protection of ourselves and our families.

Question. What was the population of White County then?

Answer. I don't know, sir, really.

Question. Did you have a hundred?

Answer. Several hundred, sir?

Question. Six hundred?

Answer. Yes, sir; fully that many.

Question. How many black people did you have up there?

Answer. I don't know, sir.

Question. As many as ten?

Answer. O, yes, sir.

Question. Twenty?

Answer. Several hundred, I expect; I don't know myself.

Question. How many in Searcy—you lived there?

Answer. I never counted them.

Question. How many do you suppose; how many besides Ben Humphries?

Answer. A good many; I don't know how many.

Question. Do you know Ben Humphries?

Answer. I did know him, sir.

Question. What became of him?

Answer. I don't know, sir.

Question. He is not there now, is he?

Answer. I suppose not.

Question. How many about the town?

Answer. Fifteen or twenty; I really do not know.

Question. How many white people?

Answer. I don't know.

Question. As many as a hundred?

Answer. Yes, sir.

Question. Two hundred?

The WITNESS. You mean all, or just male grown, on the same average you made the black people in the town of Searcy?

The PROSECUTING ATTORNEY. Yes, sir.

Answer. It would be just guess-work.

Question. Well, guess.

Answer. Seventy-five or a hundred, I guess.

Question. And fifteen or twenty black people, well, in the whole county? How many white people do you think in the whole county?

Answer. Well, I don't know, sir.

Question. Well, as near as you can come?

Answer. I suppose there were between twelve and sixteen hundred, perhaps.

Question. How many black people—you have lived in the county a long time?

Answer. I do not know.

Question. As many as a hundred, you reckon?

Answer. Yes, sir.

Question. Two hundred?

Answer. I can't say.

Question. Can't say there were that many?

Answer. No.

Question. Did they administer any oath to you to obey the orders of superiors; didn't—

Answer. Well, I believe they did.

Question. What was the penalty if you didn't; do you know or remember?

Answer. I do not recollect now.

Question. Don't recollect what the penalty was?

Answer. No.

TESTIMONY OF F. M. CHRISMAN.

FRANCIS M. CHRISMAN, a witness on the part of the prosecution, was called and sworn.

Examined by the PROSECUTING ATTORNEY :

Question. What is your name ?

Answer. Chrisman is my name—F. M. Chrisman.

Question. Where did you reside in 1868 ?

Answer. Searcy, White County.

Question. How long had you resided there ?

Answer. About sixteen years, sir.

Question. Where were you from ?

Answer. I was from West Tennessee—Fayette County.

Question. Did you know Albert H. Parker in his life-time ?

Answer. I did, sir.

Question. Do you know when he went to Searcy—about the time ?

Answer. Not precisely. I could state somewhere about the time. I remember he was there at the time of Colonel Roots; the speaking was in October; he was there a short time before that.

Question. Do you know his business there ?

Answer. I think I do.

Question. What was it ?

Answer. A State detective, sent there by the governor—if I was correctly informed by the governor.

Question. What was it for ?

Answer. To ascertain whether there was a secret organization there, known then, or now, as the Ku-Klux Klan.

Question. Do you know of any such organization, at that time, there ?

Answer. I know there were men who traversed the neighborhoods and streets in disguise, and who were called Ku-Klux.

Question. Didn't belong to it yourself ?

Answer. I did not, sir.

Question. Did you know Ban Humphries ?

Answer. I did, sir.

Question. Was he a colored or white man ?

Answer. He was a colored man.

Question. What became of him ?

Answer. He was said to be killed by the Ku-Klux, sir.

(Mr. Gallagher objected.)

Question. Did you know of your own knowledge ?

The COURT. Let the witness tell what he knows. What he does not know himself is not evidence, of course.

Question. You never heard of him after such things were said—of the negro ?

Answer. No, sir; never heard of him.

Question. When did you last see Parker ?

Answer. I think the last time I saw him was on the day—I don't remember the date—the day Colonel Roots spoke there. I think it was in October.

Question. Did you ever hear of him afterward ?

Answer. I heard of his resurrection out of a well after he was dead.

Question. Was you present when the coroner's inquest was held ?

Answer. I was not, sir.

Question. Was there such an organization in that county at that time known as the Union League ?

Answer. I do not know whether there was or not, sir.

Question. Were ever you a member of such an organization ?

Answer. I think I joined them once, some good while before that; but the organization was not kept up; and I don't think there was any such organization at that time.

Question. Was there any military organization, at that time, of any kind, by the State authorities ?

Answer. Not that I know of, sir.

Question. What were the objects and purposes of the Union League ?

Answer. I didn't understand it to be military. I thought it was more political. There was an oath swearing us to support the nominee. I joined it, and that was the end of it. There were not but a few republicans there; and it was a little slow; and we didn't keep it up.

[The occurrence of an accident, at this point, may have occasioned omission of one or two questions and answers.]

Question. Well, were there any whites who were not registered ?

Answer. Not very many. Registration in that county was pretty general. Those

that held office before the war were about all that were disfranchised in that county. The population was small.

Question. Where were you when Parker came there ; in Little Rock, or in Searcy ?

Answer. I think I was in Searcy when he first came there, after which the governor asked me if I had become acquainted with Parker. I told him no. I asked him what Parker ; I told him I had not made his acquaintance. He then told me he had sent a man there previously to investigate the doings of the Ku-Klux, and their reports were so vague that he had sent a man whom he relied upon—his judgment and his word, and that he was there, and described him to me, and when I went back, I found Parker there. Parker attempted to make my acquaintance, but I avoided him. I never had any conversation with Parker in my life. That is why I knew that Parker was there from the governor. He had been there before that time, and I had seen him, but did not know his business. When he went away, the newspapers published that he disappeared as most radicals, without paying his bill ; that one Parker had left the county without paying his board bill.

Question. You were acquainted with Captain Stephen Wheeler, were you not ?

Answer. Yes, sir.

Question. He resided in that county ?

Answer. Yes, sir.

Cross-examination :

Question. Major, did you know the given name of Parker ?

Answer. I did not, sir.

Question. Just knew him as Captain Parker ?

Answer. Just knew him as Captain Parker.

Redirect examination :

Question. That is the only Parker you ever knew from there ?

Answer. Yes, sir ; that is the only Parker.

Recross-examination :

Question. You were absent from there a good deal, were you not, major ?

Answer. Yes ; I was absent from home. That was my home ; but I was from home frequently.

TESTIMONY OF J. M. BRUNDRIDGE.

JAMES M. BRUNDRIDGE, a witness on the part of the prosecution, called and sworn, testified as follows :

Question. What is your name ?

Answer. James M. Brundridge ?

Question. Are you of any kin to William E. Brundridge ?

Answer. I am.

Question. What is your relationship ?

Answer. Brother of mine.

Question. When did you last see him ?

Answer. Well, sir, I do not recollect exactly the time. I saw him the night before he left Searcy for Texas, some time in the fall.

Question. In what year ; 1868 ?

Answer. Eighteen hundred and sixty-eight, I believe.

Question. Do you know John G. Holland, William L. Edwards, and James W. Russell ?

Answer. Yes, sir.

Question. How long have you known them ?

Answer. Well, sir, I have known John G. Holland ever since he was a boy, though I have not been with him for some time. We were together when we were boys—were together in Searcy. During the war I did not see him.

Question. How long have you known James W. Russell ?

Answer. Four or five years.

Question. William L. Edwards ?

Answer. I have known him about two years.

Question. In 1868, were you a member of a secret organization known by outsiders as the Ku-Klux Klan ?

Answer. Yes, sir.

Question. Who initiated you ?

Answer. Captain James McCauley.

Question. Do you remember the obligation you took ?

Answer. No, sir ; I do not. I could not repeat it.

Question. Was there anything requiring you to obey the orders of your superior, with a penalty for disobedience ?

Answer. Yes, sir.

Question. What was the penalty ?

Answer. The penalty was said to be death—represented to me.

Question. Did you know Albert H. Parker?

Answer. I had an introduction to him.

Question. During the time that you were there, was there any application made to furnish a detail to take the life of any man?

Answer. Nothing of the kind when I was there.

Question. Was there an application made about that time—any notification by anybody that certain persons were to be taken?

Answer. No, sir.

Question. Did ever you hear members discussing murders of any citizens about that time on the streets?

Answer. No, sir.

Question. Did you understand as to whether murders should be made without orders from the leading officers of the Den?

Answer. My understanding from Captain McCauley, to the best of my recollection, was that every member of that order should do anything, and should not take any business into his hands whatever without the sanction of John McCauley and Colonel Frolich. That was what he told me; that it must come from them.

Question. How many times did you meet with the order?

Answer. About three or four times.

Question. Were you present at the time a body was said to be recovered, called Parker's body, from the well?

Answer. No, sir.

Question. Did you have any conversation with any of these defendants in reference to it?

Answer. No, sir; I did not.

Question. Did you see his body at all?

Answer. I did not, sir.

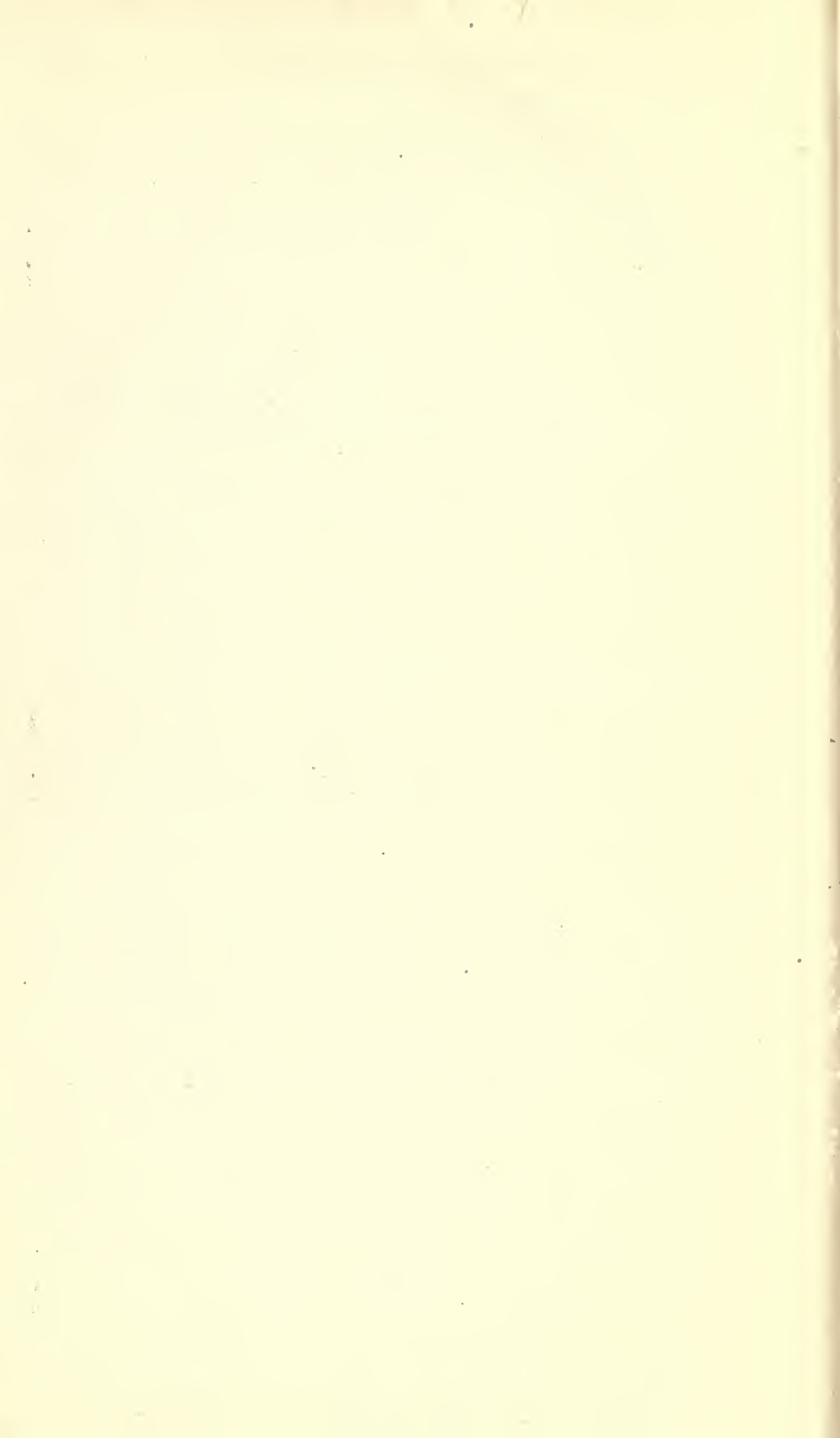
Cross-examination:

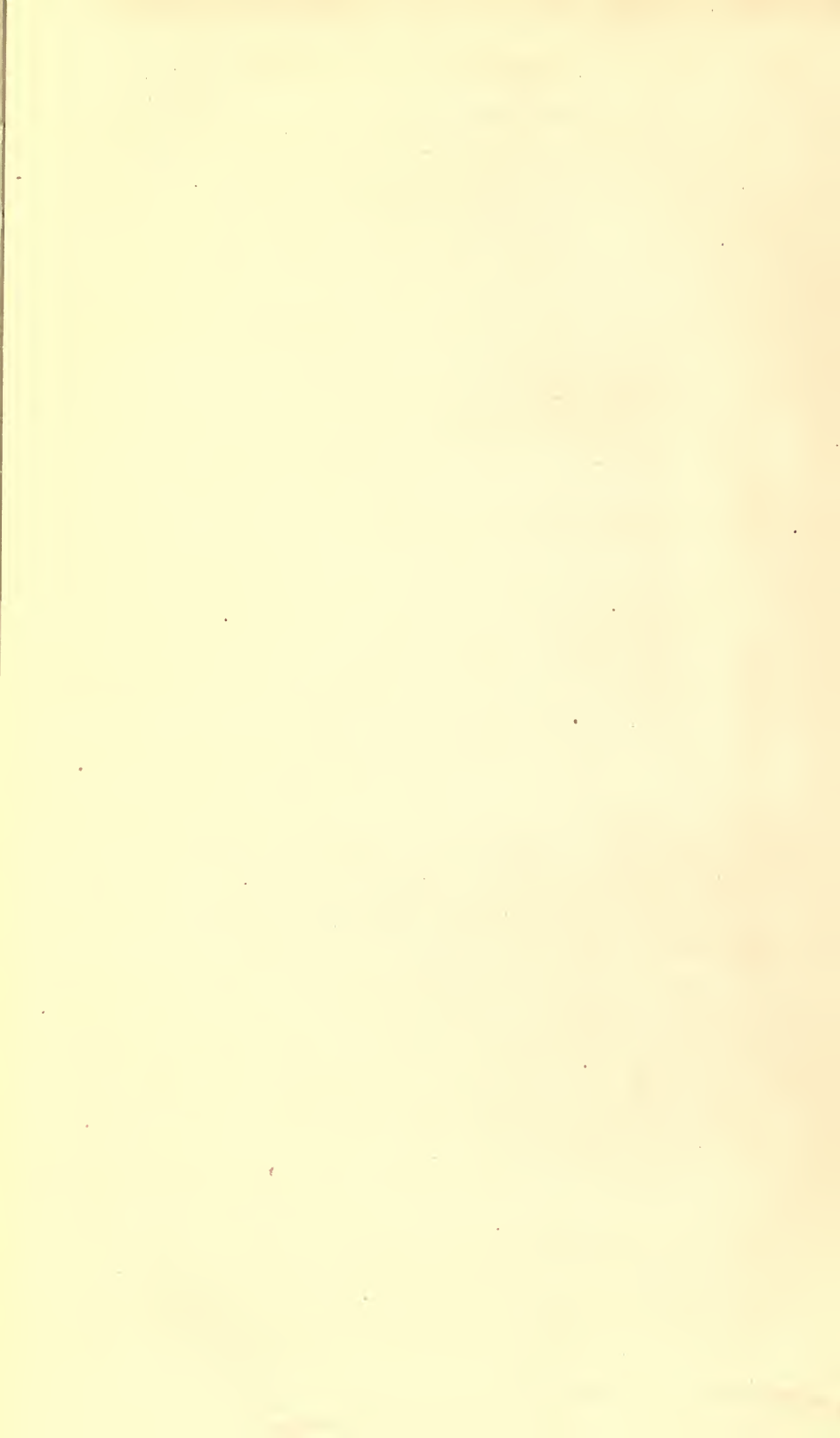
Question. Didn't know Parker's first name, did you?

Answer. No, sir; I did not.

Question. Just knew him as Captain Parker?

Answer. He was introduced to me as Captain Parker.







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